City of Trinidad

Posted: Friday, October 04, 2019

NOTICE AND CALL OF A REGULAR MEETING OF THE TRINIDAD CITY COUNCIL

The Trinidad City Council will hold a regular meeting on

TUESDAY, OCTOBER 08, 2019, at 6:00 PM

In the Trinidad Town Hall, 409 Trinity Street, Trinidad, CA

CLOSED SESSION BEGINS AT THE CONCLUSION OF THE OPEN SESSION

I. CALL TO ORDER

II. ADJOURN TO CLOSED SESSION

1. *Public Employee Performance Evaluation for City Manager Pursuant to Government Code Section 54957*

III. RECONVENE TO OPEN SESSION

IV. PLEDGE OF ALLEGIANCE

V. APPROVAL OF AGENDA

VI. APPROVAL OF MINUTES – *09-10-19 cc*

VII. COUNCIL REPORTS/COMMITTEE ASSIGNMENTS

VIII. **STAFF REPORTS** – *City Manager & Law Enforcement*

IX. ITEMS FROM THE FLOOR

At this time, members of the public may comment on items NOT appearing on the agenda. Individual comments will be limited to 3 minutes or less. Comments should be directed to the Council as a whole and not to individual Council Members or staff. Council and staff responses will be minimal for non-agenda items.

X. CONSENT AGENDA

All matters on the Consent Agenda are considered routine by the City Council and are enacted in one motion. There is no separate discussion of any of these items. If discussion is requested by any Council member, that item is removed from the Consent Calendar and considered separately. A single opportunity for public comment on the Consent Agenda is available to the public.

1. Staff Activity Report – September 2019
2. Financial Statements August 2019
3. Law Enforcement Report September 2019
4. League of CA's 2019 Annual Conference Resolutions

IX. DISCUSSION/ACTION AGENDA ITEMS

1. Discussion/Presentation regarding HCAOG Unmet Transit Needs Assessment.
2. Discussion/Presentation from GHD Regarding Stormwater Project Plans.
3. Discussion/Presentation from GHD Regarding Water Reports; 1) Conceptual Hydrological Assessment, 2) Alternative Raw Water Source Evaluation, and 3) Water Demand and Loss Analysis.
4. Discussion/Presentation/Update from the Trinidad Museum Society.
5. Discussion/Decision regarding Resolution 2019-11; Approving Grant Applications for the Proposition 68 Per Capita Grant Funds.
6. Discussion/Decision regarding Date Selection for a Joint Meeting with the City Council, Planning Commission, and STR Committee.

X. FUTURE AGENDA ITEMS

XI. ADJOURNMENT

APPROVAL OF MINUTES FOR:

SEPTEMBER 10, 2019 CC

Supporting Documentation follows with: 5 PAGES

MINUTES OF THE REGULAR MEETING OF THE TRINIDAD CITY COUNCIL
TUESDAY, SEPTEMBER 10, 2019

I. CALL TO ORDER

Mayor Ladwig called the open meeting to order at 6:00pm. Council members in attendance: Miller, West, Ladwig, Grover, Davies. City Staff in attendance: City Manager Eli Naffah, City Clerk Gabriel Adams, City Planner Trever Parker.

II. CLOSED SESSION REPORT – *No closed session.*

III. PLEDGE OF ALLEGIANCE

IV. APPROVAL OF THE AGENDA

Motion (Miller/Grover) to move approve the agenda as written. Passed unanimously.

V. APPROVAL OF MINUTES – 07/10/19 cc, 07/31/19 sccpc, 08/14/19 cc

Motion (Grover/Miller) to approve the minutes as written. Passed unanimously.

VI. COUNCILMEMBER REPORTS/COMMITTEE ASSIGNMENTS

Miller: RCEA received PG&E wind energy update and discussed Climate Action Plan workshops.

Davies: Trails Committee will meet in September.

Ladwig: RREDC, met with Blue Lake Rancheria to tour their solar array.

West: HCAOG, continued Last Chance Grade discussion.

VII. STAFF REPORTS

City Manager Naffah highlighted items listed in the written staff activity report

Councilmember Davies recommended all correspondence between city officials and other agencies be published and archived on the City website.

HCSO Sargent Kevin Miller presented September service statistics. Noted the Sheriff was still down numerous Deputies, and recruitment is ongoing.

VIII. ITEMS FROM THE FLOOR

(Three (3) minute limit per Speaker unless Council approves request for extended time.)

Don Allan – Trinidad Area Resident
Suggested removing the pledge of allegiance from the agendas since there should be separation between church and State.

Mike Allison – Trinidad
Reminded the Council that Humboldt County Sheriff Honsal urged the City to not make any decision that would reduce cellular coverage in the City.

IX. CONSENT AGENDA

1. Staff Activity Report - August 2019
2. Financial Statements July 2019
3. Law Enforcement Report August 2019
4. Labor Compliance Consultant Agreement for Storm Water Project.
5. Approval of Van Wycke Trail Task Order with GHD.

Motion (West/Miller) to approve the consent agenda as amended. **Passed unanimously.**

Councilmember Davies noted his appreciation for including grant status in the staff report.

XI. DISCUSSION/ACTION AGENDA ITEMS

1. Discussion/Decision regarding AT&T Appeal of Planning Commission Denial of Application 2019-07 to Install a Temporary Cellular Facility at 12 Berry Road.

City Manager Naffah introduced the item, briefly explaining the relationship between AT&T, Verizon, and the Trinidad Head cellular site. City Planner Trever Parker explained that at their regular meeting of July 17, 2019, the Planning Commission denied an application by AT&T for a Coastal Development Permit, Design Review and Use Permit to install new, temporary cellular infrastructure, including a 20-foot by 20-foot precast concrete foundation, a 75-foot tall monopole, antennas on the monopole and a walk-in equipment cabinet. The site, located at 12 Berry Road, was intended to replace AT&T's Trinidad Head facilities until a suitable permanent site can be found.

At the public hearing, a large percentage of the neighboring residents spoke in opposition of the project. After listening to and discussing the information provided by staff, the applicant's representative and the public, the Planning Commission determined that some of the findings required to approve the project could not be made. Specifically Design Review findings 'C' and 'H' and Use Permit findings 'A,' 'B,' and 'D' could not be made based on the available information.

Section 17.72.100 of the Trinidad Zoning Ordinance governs appeals of Planning Commission actions. AT&T filed a timely appeal (within 10 working days from the date the Notice of Action was received by the Coastal Commission) on August 1, 2019. In terms of procedure and action, the City Council can uphold the appeal and approve, or conditionally approve, the project. Or the Council may deny the appeal and uphold the Planning Commission's action. The Council may also modify the Planning Commission's action, but that option is more applicable to appeals of project approvals.

Council questions included:

Miller: The legal concerns expressed in the most recent letter sent by AT&T are real, and unfortunately our City Attorney is not here to answer some of my questions.

Ladwig: If we get in over our heads tonight, I won't hesitate to consider tabling the discussion.

Public comment included:

Misako Hill, Alyssa Ferris – AT&T Representatives
Explained the need for the temporary site, and the purpose of the appeal. They also noted that they are following Verizon's lead to locate at the alternate, permanent sites in the Trinidad area, hopefully within 1 year. AT&T is comfortable working with Verizon, but unaware of any formal decision made by the Council to extend the lease on Trinidad Head, which would be a favorable option.

Jonna Kitchen – Trinidad
Encouraged the City to consider allowing the Trinidad Head site to continue until the alternate, permanent sites are installed. Very concerned with visual impacts to the Berry Road community and the impacts the proposed facility will have on property values.

Brent Twoomey – Trinidad
I've been trying to underground all utilities in the Berry Road for over 30 years. Our part of Trinidad has been dumped on enough. I don't want this approved, but if you do I encourage you to squeeze AT&T and require a condition that they underground the last utilities in that area. I hope you make the right decision for Berry Road.

Richard Kieselhorst – Trinidad
My wife and I attended the Planning Commission hearing. 1-week after the permit was denied I received a call from a contractor asking permission to access AT&T utilities through my property to install fiber optic cable for "a cell facility being constructed at the church". Why? I also received a letter (in my role as assistant Fire Chief) from another AT&T contractor looking for guidance with the installation of a diesel storage tank for a backup generator at the temporary site. I thought the City denied the permit?

Tom Weisend – Trinidad
All the neighbors on Berry Road attended the Planning Commission hearing and spoke out against the project. As a public health professional, I'm very concerned about the possible health impacts of this facility and don't want it in my neighborhood.

Diane Weisend – Trinidad
This process is stressing me out. What makes this project temporary? In 2-years they could file for an extension. I've worked hard to protect my home and investment and this project could destroy my property value. Please uphold the denial.

Jessie Dodd – Trinidad
Every resident on Berry Road voted against this. I'm upset with the process, and this property has not been a good neighbor. The property is zoned for a church, but hasn't been a church for 12 years. They should not be zoned for a church. It's in a residential neighborhood.

John Graves – Trinidad Planning Commission Chair
Read from a prepared statement submitted to the City Clerk for this item. He summarized the Commission's deliberation process and how they reached the unanimous decision. They could not make findings "C" and "H" as related to the City's General Plan. An alternate design was not proposed, and it did not fit in with the community character. There was no debate of the need for service, but the facility is incompatible with the community. We heard credible testimony from qualified residents on declining property values, thoroughly reviewed alternative sites, and it appears Mercer-Fraser will be working with AT&T. AT&T has not met FCC requirements, and this project does not meet findings of fact.

Victoria Sackville – Trinidad
Trinidad IS a neighborhood. I'm concerned about others being allowed to locate at this site as well. Temporary is not realistic. Every left the last meeting feeling triumphant. Uphold the appeal.

Laura Scott – Trinidad
I'm part of this community. The FCC says that once the site is established, it can't be removed. Don't get bamboozled by this big company and don't listen to their scare tactics.

Steve Madrone – Trinidad Area
Met with AT&T about this project and encouraged them not to appeal the PC's decision. I recommended they work with Green Diamond and use due diligence.

Misako Hill – AT&T
We reached out to Green Diamond, but AT&T Engineers say Candy Top Mountain isn't a viable location.

Written Correspondence Included:
AT&T – Ann Ahrens Beck, Senior Legal Council
September 06, 2019 letter addressed to the Council requesting reversal of the Planning Commission decision citing practical and legal justifications.

Dorothy Cox – Trinidad
Opposed the project.

Council comment included:
Miller: We need to consider this very broadly and be wise about this. Disclosed that he is an AT&T subscriber. I'm very concerned with the legal consequences that could result from making the wrong decision, and want to be sure we're moving ahead in the right direction. The Council should be considering all the options – especially extending the site at Trinidad Head.

Grover: I'm not concerned with legal issues or threats. I took an oath to represent the community and uphold the law. I support the concerns of the Berry Road community.

Davies: I'm sorry, AT&T, that you couldn't figure this out sooner. I'm not interested in pandering with a multi-billion dollar corporation, and I don't like leveraging Trinidad Head. We will survive without cell phones, and I'm offended that AT&T moved ahead prepping for project without approval.

West: I'm disappointed that AT&T got ahead of themselves, but the City needs to consider all the options to ensure continued cell service. Trinidad Head may be a good backup for now, but I don't support the temporary site on Berry Road.

Motion (Ladwig/Davies) based on application and appeal materials, information and findings included in the Staff Report, and based on public testimony, I move to uphold the Planning Commission decision and deny the project based on a lack of alternatives analysis, a lack of adequate visual analysis, and not being able to make required Design Review Findings "C" and "H" and Use Permit Findings "A," "B" and "D" for the project as proposed. **Passed 4-1 (Miller-NO).**

2. Discussion/Presentation/Update from the Greater Trinidad Chamber of Commerce.
Greater Trinidad Chamber President Brett Schuler introduced Executive Director Allie Heemstra. Heemstra presented a slide show highlighting the Chamber's purpose, goals, and recent accomplishments. She also explained their desire to improve the website and promote the shoulder season business in Trinidad.

Public comment included:
Diane Stockness – Trinidad
I miss the map and the kiosk near Salty's.

Victoria Sackville – Trinidad
The town isn't set up to handle the impact of the summer tourism volume. We need balance. The traffic is too much.

Laura Scott – Trinidad
We don't have the infrastructure to support tourism.

Heemstra responded, stating the Chamber wants our businesses to thrive – not to limit the community. I'd rather find ways of working together with everyone instead of supporting the us vs. them mentality.

John Graves – Trinidad Area
Thank you for all the great work you're doing.

Update only. No decision was made.

3. Discussion/Presentation from Steve Madrone and Dave Hankin Regarding Water and Rain Catchment Systems.
Steve Madrone began the presentation by sharing his background, a brief history of his work, and education. The information shared included the following:

- Plan to tap (4) springs to receive 110,000 GPD at 100ft depth, upstream, and utilize the 200 ft elevation drop, using zero energy, to deliver the water to the treatment plant.
- Drought & Climate Change effects
- Storage options
- Water Supply Options
- Growth inducing option (connect to MCSD)
- Rainwater Collection
- Groundwater Recharge Ponds
- Water Storage Options
- Fire Protection & ISO
- Cost & Benefits Return on investment
- Next Steps

Council questions included:
West: How to we begin researching feasibility of your concepts? Madrone suggested researching grants or revolving loan opportunities for a feasibility study.

Public comment included:
Don Allan – Trinidad Area
The concept is to draw from the springs in the winter, but maintain the current system of treating creek surface water in the summer.

Council comments included:
Miller: Asked the City Manager to consider integrating tonight's possibilities with the City Engineer's water reports in progress, and explore the possibility of finding grants that would support the feasibility studies as proposed.

No formal decision was made. Presentation item only.

4. Discussion/Decision regarding the Introduction and Vision statement of the Draft General Plan.
City Planner Trever Parker explained that at their meeting on August 21, 2019, the Planning Commission reviewed, discussed, and amended the draft Introduction Chapter of the General Plan update with a particular focus on the vision statement. The version reviewed by the Planning Commission had also been revised by City staff to address Coastal Commission staff comments that have been received. The Planning Commission voted 4-0 to recommend the document, as amended, to the City Council. The revised document was also brought back to the Planning Commission for final review at their September 04, 2019 meeting.

As the name implies, the Introduction provides an overview of the General Plan, which includes things like regulatory requirements, and executive summary, administrative issues, and the vision statement. The current Vision Statement also includes a set of strategic goals that help guide the development and interpretation of General Plan policies.

Public comment included:
Shirley Laos – Trinidad Rancheria
The Introduction Statement is very readable. Our Tribal Historic Preservation Officer read it and feels it's acceptable. It's very simple. When the plan is ready the Rancheria will request the formal consultation process for Tribal Council review.

Council comments included:
Davies: Distinguishing between "prioritize" and "require" when it comes to Coastal Commission policies, specifically Visitor Services. This should be reviewed. Also concerned with the summary of "Development Outside the City Limits" on page 09.

The Council thanked Commissioner Kelly for the well written Vision Statement.

No decision was made. Presentation/update item only.

X. FUTURE AGENDA ITEMS

ADJOURNMENT: 9:15pm

Submitted by:

_____
Gabriel Adams
Trinidad City Clerk

Approved by:

_____
Steve Ladwig
Mayor

CONSENT AGEND ITEM 1

SUPPORTING DOCUMENTATION FOLLOWS WITH: 6 PAGES

1. Staff Activity Report – September 2019

CITY MANAGER'S STAFF REPORT

Cell Towers:

The City is working with both Verizon and AT&T to assure a smooth transition for local cell phone service. The Trinidad Head Site is in a Holdover status as the cell phone companies are working on new sites. The good news is that AT&T is proceeding with locating a cell tower near the Verizon Quarry Road site. In addition, Verizon and AT&T are working together on a second cell site near Westhaven. Once the new sites are up and functioning, then at that time the Trinidad Head site will be decommissioned. The City knows the importance of Trinidad Head to the community, as well as maintaining reliable cell phone service.

Access Humboldt:

Staff met with representatives of Access Humboldt to address the logistics of installing equipment to video record City Council and other city meetings. Their representatives will do a follow-up to observe the set-up for the November City Council meeting.

Professional Development Seminars:

I attended a series of three seminars at no cost at College of the Redwoods on Public Contracting, the Brown Act, and Records Retention. The information is a valuable update and reference for procedural guidelines.

STR Advisory Committee:

The next Short Term Rental/STR Advisory Committee meeting will be held on October 22nd at 10 am.

Strawberry Rock Trail:

A meeting of stakeholders was held on September 24th for the proposed Strawberry Rock Redwood Forest Trail. Representatives of the State were present to hear about proposed plans in order to consider a grant to purchase the site and preserve/enhance the trail. The Trinidad Coastal Land Trust is pursuing the funding and is supported by numerous agencies including the City, State Parks, local Native American tribes, and the County.

CCNM Festival and Taste of Trinidad:

The California Coastal National Monuments (CCNM) held its first Festival on September 28th. Trinidad was designated as the Gateway to the CCNM. Activities were held all day in the Harbor area followed by the Taste of Trinidad in Saunders Park. The weather cooperated for a successful series of events.

October 2019 Project and Grant Coordinator Activities Report

Non-grant (general fund) Projects and tasks assigned for September and October:

- Develop draft a template contract and bid package for procurement of construction and other services for contracts of $5,000 - $100,000. This template and the Bid Process guide (drafted in 2018) will support the procurement process and help ensure compliance with labor compliance and public works requirements.
- Worked with bookkeeper to complete year-end adjustments for grant funds. Continue to develop schedules requested by the auditor for the FY 18-19 audit.
- Chaired North Coast Stormwater Coalition quarterly meeting in September. The County and Cities are taking turns chairing these meetings.
- Assist with planning Civic Club Room renovation and Trinidad Solar Project.
- Attended Local Road Safety Plan (LRSP) webinar to learn how requirement applies to the City.

Manage Grant Projects – Provided administrative support for all grants; worked with funders to complete funding agreements and develop new grant funding; coordinated with city staff, project consultants and project partners.

- Drafted bid package for Trinidad School Crosswalk Improvements funded by 2% Transportation Development Act Program for Bicycles & Pedestrians.
- Reviewed guidelines for the Per Capita Grant Program and prepared staff report and Resolution for October Council meeting. Ongoing: Identify grant programs for priority projects for water system improvements, recreation, trail construction and improvements.
- Details are provided below for each grant project.

Project Name	**Storm Water Management Improvement Project Phase 2 (ASBS Storm Water Project)**		
Grant Budget	$4,833,000	Funding Source	Prop 84 Storm Water Grant Program
City Match	$15,000	Match paid by	General Funds- project development staff costs 2015- 2017
USDA Match	$26,000	Paid by	USDA SEARCH Grant for Project Engineering Report
USDA Match	$511,000	Application Pending	USDA Rural Development Storm Water Grant/Loan Financing
Term	9/1/17 - 6/30/21	City Personnel Costs	Funded by Prop 84 grant beginning September 2017

Project Summary and Background: This is the final phase of the ASBS Storm Water project to eliminate the storm water discharge into the Trinidad Bay (Area of Biological Significance or ASBS) at Launcher Beach by constructing LID improvements along Underwood, Edwards, Ewing, and at the harbor parking lot area.

Status: Approximately $225,000 has been spent to date for approximately 4 % of the total project. The City continues to coordinate with the Trinidad Rancheria regarding work in the beach parking area and is drafting a landowner access agreement for consideration by Rancheria Tribal Council and City Council. The City engineer completed the 50% project design, specifications and opinion of probable cost. The draft plans & specifications have been circulated to the Tsurai Ancestral Society, the Trinidad Rancheria and Yurok Tribe and are available for public review. A presentation about the project will be heard in a separate agenda item. The Coastal Development Permit application is being prepared for a Planning Commission hearing on November 20 and for a hearing at the December Coastal Commission meeting.

Project Name	**LCP Update Project 2**		
Grant Budget	$51,000	Funding Source	Coastal Commission LCP Planning Grant Round 4
Term	11/1/2017-12/31/2019	City Personnel Costs	Reimbursed by grant funds

Project Summary: This second Coastal Commission LCP grant project focuses on developing a Coastal Hazards Plan/Recommendations and Water Supply Assessment to support planning and work on the General Plan/LCP update.

Project Status: Approximately 70% of the grant budget has been spent. The draft coastal erosion (bluff) hazards report will be available by mid-October. There will be a discussion of water policies at the October 16 Planning Commission meeting. Work has begun on the Implementation Plan.

Project Name	**Van Wycke Bicycle and Pedestrian Connectivity Project (Van Wycke Trail Project)**		
Grant Budget	$714,000	Funding Source	Caltrans Active Transportation Program (state funding only)
Term	7/8/16-4/1/21	City Personnel Costs	Not reimbursed by grant except in final educational phase

Project Summary: This project will improve the Van Wycke Trail to provide better access and safety for pedestrians and for bicyclists between Edwards Street and the Harbor Area.

Project Status: Project engineering/design, right of way phases and non-infrastructure (public education) tasks are getting started. Outreach to public and stakeholders soliciting input will begin in October. Next steps include conducting a geotechnical investigation, completing draft (60%) plans, specifications and estimates, right of way engineering and meeting with stakeholders and the Coastal Commission.

Project Name	**Downtown Trinidad Pedestrian and Connectivity Improvements Project**		
Project Budget	$550,000	Funding Source	Caltrans STIP
Match	$30,000	Match paid by	City (from Gas Tax & other Transportation funding)
Term	2019 - 2021	City Personnel Costs	Partially reimbursed by STIP funds

Project Summary: The Downtown Trinidad Pedestrian and Connectivity Improvements Project will remove accessibility barriers and extend new safe and accessible pedestrian routes (in accordance with the Americans with Disabilities Act of 1990) along portions of Patrick's Point Drive, Scenic Drive, and Trinity Street.

Status: A community/stakeholder communication will be held this fall. Work has begun on environmental clearance and permitting, right of way engineering and preliminary designs.

Project Name	**Citywide Low Impact Development (LID) Planning and Construction Project (OPC Project)**		
Grant Budget	$848,650	Funding Source	Prop 1 Ocean Protection Council
Match	$0	Match paid by	NA
Term	10/25/16-6/30/19	City Personnel Costs	Reimbursed by Grant

Project Summary: Citywide LID Planning and Construction Project goals are 1) to construct storm water system improvements on Hector and East Streets that eliminate the discharges to the Trinidad Bay (ASBS) from the upper part of town, and 2) to develop LID policies to protect the bluff by reducing infiltration of stormwater and wastewater in sensitive areas. This grant project term ended on June 30, 2019. Please see the closeout letter on the following page:

OCEAN PROTECTION COUNCIL

September 27, 2019

Eli Naffah
City Manager
City of Trinidad
P.O. Box 390
Trinidad, CA 95570

Agreement Number:	**P01-1-02**
Project Name:	**Trinidad Citywide Low Impact Development Planning and Construction Project**
Project Start Date:	**October 25, 2016**
Project End Date:	**June 30, 2019**

Dear Mr. Naffah,

Thank you for submitting the final report for the low impact development project funded by the Ocean Protection Council under the referenced grant agreement. I appreciate the work that was completed with this grant funding. This project represents a significant step towards improving and protecting water quality in the Trinidad Head Area of Special Biological Significance.

Per the "Project Completion" section of Grant Agreement P01-1-02, please let this letter serve as a letter of acceptance of the project. Once you receive the final payment, the project will be considered complete.

It has been a pleasure to work with the City of Trinidad and I look forward to our continued collaboration. On behalf of the Ocean Protection Council, thank you again for your stellar work.

Sincerely,

Holly Wyer

Holly Wyer
Marine Pollution Program Manager
Holly.Wyer@resources.ca.gov
916-653-0538

City Clerk's Office:

The first week of every month is dedicated to agenda preparation and coordination. The first half of September brought with it a wave of activity related to the Council meeting on the 10th, starting with the Berry Road cell facility proposal by AT&T. Public notices went out to the Berry Road residents about the upcoming appeal hearing, and the community brought their process questions and concerns to City Hall for explanation. This topic dominated the office through the week of the meeting.

Mid-month presented city facility coordination challenges as many community groups prepared for the Coastal Monument Festival on the 28th. The need for tables, the Town Hall, and encroachment permits for use of public spaces kept staff busy while juggling the daily routine and preparing for the Planning Commission and Trails Committee meetings. Requests for information from water data and statistics, land use and development related questions, invoice processing, and the endless variety of drop-ins, phone calls, and emails kept staff shifting from one topic to another. An average of 25 emails arrived per day in the Clerk's email inbox in September, with topics ranging from billing statements, cemetery, town hall scheduling, requests for information, reporting deadlines, agenda preparations, activities, etc.

The last week of September was suprisingly quiet, allowing for a mop-up of the heavy intake that ensued the weeks prior. Every month concludes with routine water billing and preparation for the deadlines that approach as the month turns.

Trinidad City Clerk

From: Bryan Buckman <bbuckman@trinidad.ca.gov>
Sent: Friday, October 04, 2019 12:28 PM
To: 'Trinidad City Manager'
Cc: 'Trinidad City Clerk'; azetter@trinidad.ca.gov; 'Ryan DeSmet'
Subject: Sept 2019 Staff Report

September 2019 TPW & Water Staff Report

T.P.W Report
Routine Maintenance
Mowing and Trail Work
Studying and preparing Kyle for the upcoming state water treatment exam
Maintaining and removing vegetation for the Improvement of right of ways throughout town

Water Report
First significant rains of the year brought higher turbidities into Luffenholtz Creek.
During the rainy season certain processes need to be adjusted e.g. rotation of chemical feed pumps to obtain optimal Dosing. Chlorine residuals throughout the distribution system require more attention and adjustment.
Water usage typically starts to decrease this time of year prompting us to adjust tank level set points.
3rd quarter disinfection byproduct results came back well under the MCL requirements.

September 2019 Water Stats
Pumped- 305,414 cu ft. (2,359,296 gallons)
Sold- 238,316 cu ft. (1,782,603 gallons)
% Loss- 17.31%

September 2018 Water Stats
Pumped- 299,545 cu ft. (2,240,596 gallons)
Sold- 221,252 cu ft. (1,654,965 gallons)
% Loss- 21.7%

Ryan DeSmet
City of Trinidad
Public Works/
Water Treatment Operator #33837
rdesmet@trinidad.ca.gov
Office # 707-677-3862
Cell # 707-499-5841

CONSENT AGEND ITEM 2

SUPPORTING DOCUMENTATION FOLLOWS WITH: 0 PAGES

2. Financial Statements August 2019

Statements were not available by the agenda posting deadline. They will be shared with the Council and published to the City website prior to the meeting.

CONSENT AGEND ITEM 3

SUPPORTING DOCUMENTATION FOLLOWS WITH: 4 PAGES

3. Law Enforcement Report September 2019

Date	Inc #	Type	Time	Location	Dispositio
09/02/2019	1909020039	BOLO	07:13:18	(UNKNOWN ADDRESS)	Report Taken
09/02/2019	1909020049	XFER	08:33:37	725 HIGHLAND AVE	Xfer to CHP
09/02/2019	1909020052	488	08:57:35	505 WEST ST	Referred To Other Agency
09/02/2019	1909020053	PC	08:57:40	(UNKNOWN ADDRESS)	Cad Documentation Only
09/02/2019	1909020063	XFER	10:18:20	1895 PATRICKS POINT DR	Xfer to Medical
09/02/2019	1909020079	911M	11:51:26	3883 PATRICKS POINT DR	Cad Documentation Only
09/02/2019	1909020104	HYPO	14:31:56	100 MOONSTONE BEACH RD	Public Assist
09/02/2019	1909020108	PC	15:17:09	265 LANFORD RD	Report Taken
09/03/2019	1909030038	33X	08:34:08	1183 SCENIC DR	Cancel Per Rp
09/03/2019	1909030054	ANIMAL	09:56:53	1413 FOX FARM RD	Cad Documentation Only
09/03/2019	1909030082	XFER	12:37:10	CLAM BEACH DR	Xfer to Fire
09/03/2019	1909030083	INV	12:49:58	101 KAY-WIN LN	No Report
09/03/2019	1909030132	488	16:21:33	355 MAIN ST	Report Taken
09/03/2019	1909030192	PC	23:46:32	122 MOONSTONE BEACH RD	Unoccupied
09/04/2019	1909040005	VEHI	00:46:01	SCENIC DR	Field Interview
09/04/2019	1909040043	459V	09:05:30	LUFFENHOLTZ RD	Report Taken
09/04/2019	1909040047	594	09:38:39	531 MAIN ST	Cad Documentation Only
09/04/2019	1909040105	XFER	14:57:30	400 MAIN ST	Xfer to Medical
09/04/2019	1909040124	488	16:24:17	1639 TRINIDAD SCENIC DR	Pending Recontact From Rp
09/04/2019	1909040153	601	19:28:39	659 S WESTHAVEN DR	Admonished
09/04/2019	1909040157	CWS	19:59:17	982 WESTHAVEN DR	Cad Documentation Only
09/06/2019	1909060117	PROPF	16:45:22	3415 PATRICKS POINT DR	Gone On Arrival
09/06/2019	1909060121	INV	17:16:42	1066 PATRICKS POINT DR	Cancel Per Rp
09/06/2019	1909060156	PC	21:23:39	4150 PATRICKS POINT DR	Admonished
09/06/2019	1909060161	SUSPC	21:45:29	265 LANFORD RD	Unable to Locate
09/06/2019	1909060165	PC	22:18:14	389 MAIN ST	No Report
09/07/2019	1909070028	INC	03:18:31	1 CHER-AE LN	Phone Malfunction
09/07/2019	1909070061	SHOTSH	10:57:28	WESTHAVEN/TEH-PAH	Quiet on Arrival or Departur
09/07/2019	1909070064	DISP	11:11:22	1030 S WESTHAVEN DR	Duplicate Call
09/07/2019	1909070067	XFER	11:53:47	HIGHWAY 101 UNDER PASS/F	Xfer to CHP
09/07/2019	1909070100	SPECIALD	17:21:49	(UNKNOWN ADDRESS)	Assisted
09/07/2019	1909070112	PED	19:02:48	201 MAIN ST	Cad Documentation Only
09/07/2019	1909070117	XFER	19:20:37	199 N WESTHAVEN DR	Xfer to Medical
09/07/2019	1909070126	TRF	20:10:49	WESTHAVEN DR/FRONTAGE RDited	
09/08/2019	1909080021	INC	04:40:38	1 CHER-AE LN	Cad Documentation Only
09/08/2019	1909080028	911H	07:04:20	1 CHER-AE LN	Cad Documentation Only
09/08/2019	1909080054	911H	11:03:37	1 CHER-AE LN	Cad Documentation Only
09/08/2019	1909080068	CUST	13:38:53	4189 PATRICKS POINT DR	Cad Documentation Only
09/08/2019	1909080096	488	17:50:57	1481 PATRICKS POINT DR	Assisted
09/08/2019	1909080103	TRF	19:25:20	753 PATRICKS POINT DR	Cited
09/08/2019	1909080113	XFER	20:25:35	HWY 101/ TRINIDAD	Xfer to CHP
09/08/2019	1909080118	INC	20:35:23	1 CHER-AE LN	Phone Malfunction
09/08/2019	1909080134	INC	22:08:21	1 CHER-AE LN	Phone Malfunction
09/08/2019	1909080144	911H	23:58:35	1 CHER-AE LN	Phone Malfunction

Date	Inc #	Type	Time	Location	Dispositio
09/09/2019	1909090024	INC	05:42:56	1 CHER-AE LN	Phone Malfunction
09/09/2019	1909090034	INC	08:25:34	1 CHER-AE LN	Phone Malfunction
09/09/2019	1909090058	ANIMAL	10:36:50	3602 PATRICKS POINT DR	Warned
09/09/2019	1909090071	488	11:35:18	1639 TRINIDAD SCENIC DR	Report Taken
09/09/2019	1909090090	FRAUD	13:18:35	243 STAGECOACH RD	Report Taken
09/09/2019	1909090139	415	19:57:03	389 MAIN ST	Unable to Locate
09/10/2019	1909100081	PARK	11:09:29	560 EDWARDS ST	No Report
09/10/2019	1909100091	459	12:20:13	1639 TRINIDAD SCENIC DR	Report Taken
09/10/2019	1909100097	BOLO	13:21:24	343 MAIN ST	Unable to Locate
09/10/2019	1909100137	INV	17:01:26	199 NORTH WESTHAVEN DR	Report Taken
09/10/2019	1909100146	REPO	18:04:45	421 7TH ST	Cad Documentation Only
09/10/2019	1909100178	UNW	22:34:57	389 MAIN ST	Admonished
09/11/2019	1909110058	AWS	09:43:18	284 BIG LAGOON PARK RD	Arrest Made
09/11/2019	1909110069	601	10:24:39	300 TRINITY ST	Report Taken
09/11/2019	1909110171	CUST	20:20:28	4189 PATRICKS POINT DR	Public Assist
09/12/2019	1909120073	XFER	11:33:08	15336 STATE HWY 101	Xfer to CHP
09/12/2019	1909120079	INC	11:59:24	1 CHER-AE LN	Cad Documentation Only
09/12/2019	1909120085	WELF	12:35:05	1170 PATRICKS POINT DR	Public Assist
09/12/2019	1909120087	415	12:59:23	1170 PATRICKS POINT DR	Duplicate Call
09/12/2019	1909120115	INC	14:50:18	1 CHER-AE LN	Phone Malfunction
09/12/2019	1909120154	XFER	17:49:43	199 N WESTHAVEN DR	Xfer to Fire
09/12/2019	1909120177	TPAT	21:14:40	463 TRINITY ST	No Report
09/12/2019	1909120178	PC	21:31:26	510 BIG LAGOON PARK RD	No Report
09/13/2019	1909130033	911C	09:11:09	1 CHER-AR LN	Accidental Dial
09/13/2019	1909130035	911C	09:11:56	1 CHER-AE LN	Accidental Dial
09/13/2019	1909130040	VEHI	09:21:15	SCENIC DR/LANFORD RD	Marked For Abatement
09/13/2019	1909130057	911C	10:57:26	1 CHER-AE LN	Accidental Dial
09/13/2019	1909130085	CIVS	13:27:39	2585 PATRICKS POINT DR	Good Service
09/13/2019	1909130108	INC	15:35:53	1 CHER-AE LN	
09/13/2019	1909130124	INV	17:02:33	3415 PATRICKS POINT DR	Public Assist
09/13/2019	1909130146	WELF	19:08:01	873 KAHLSTROM AVE	Public Assist
09/13/2019	1909130192	INC	23:13:21	1 CHER-AE LN	Phone Malfunction
09/13/2019	1909130195	INC	23:36:13	1 CHER-AE LN	Phone Malfunction
09/13/2019	1909130196	PC	23:46:42	300 TRINITY ST	No Report
09/14/2019	1909140008	SUSPC	00:28:02	SCENIC DR	Gone On Arrival
09/14/2019	1909140012	TRF	00:50:17	SCENIC DR	Cited
09/14/2019	1909140062	488	10:33:12	437 VIEW AVE	Report Taken
09/14/2019	1909140105	SHOTSH	16:37:51	(UNKNOWN ADDRESS)	Cad Documentation Only
09/14/2019	1909140186	XFER	22:41:37	27 SCENIC DR	Xfer to CHP
09/15/2019	1909150021	415	02:24:29	823 PATRICKS POINT DR	No Assistance Needed
09/15/2019	1909150047	XFER	09:31:54	DRIVER RD	Xfer to CHP
09/15/2019	1909150105	33X	18:21:34	1277 STAGECOACH RD	Billable Alarm
09/15/2019	1909150110	PC	19:12:22	380 JANIS CT	Cad Documentation Only
09/15/2019	1909150111	PED	19:26:42	MAIN ST/HIGHWAY 101 UNDE	Arrest Made

Date	Inc #	Type	Time	Location	Dispositio
09/15/2019	1909150113	PED	19:27:00	CLAM BEACH DR	Field Interview
09/16/2019	1909160008	33X	00:37:38	1658 PATRICKS POINT DR	Cancel Per Rp
09/16/2019	1909160011	33X	01:04:34	1658 PATRICKS POINT DR	Billable Alarm
09/16/2019	1909160023	415	03:17:15	51 MIDWAY DR	Cancel Per Rp
09/16/2019	1909160042	XFER	08:55:34	.SB101/WESTHAVEN	Xfer to CHP
09/16/2019	1909160060	PED	10:35:13	201 MAIN ST	Field Interview
09/16/2019	1909160062	SUSPC	10:45:02	MAIN ST/OCEAN AVE	Unable to Locate
09/16/2019	1909160086	VEHI	13:12:06	700 SCENIC DR	Field Interview
09/16/2019	1909160120	XFER	16:22:12	510 BIG LAGOON PARK RD	Xfer to CHP
09/17/2019	1909170046	33X	09:41:48	1778 PATRICKS POINT DR	Billable Alarm
09/17/2019	1909170148	415P	21:38:29	CLAM BEACH DR/HIGHWAY 10	Unable to Locate
09/18/2019	1909180014	UNW	03:17:42	27 SCENIC DR	Field Interview
09/18/2019	1909180015	TPAT	03:50:39	MAIN ST	No Report
09/18/2019	1909180073	TOW	12:04:59	199 N WESTHAVEN DR	Cad Documentation Only
09/18/2019	1909180079	PROPF	12:55:37	463 TRINITY ST	Supplemental Taken
09/18/2019	1909180142	AVA	20:16:02	SCENIC DR/STATE HWY 101	Cad Documentation Only
09/18/2019	1909180148	PROWL	20:59:14	1770 ADAMS FOX FARM RD	Unable to Locate
09/18/2019	1909180164	PC	23:15:58	BIG LAGOON COUNTY PARK	No Report
09/19/2019	1909190116	UNW	15:35:16	1 BAKER RANCH RD	Cancel Per Rp
09/20/2019	1909200003	PC	00:07:15	101 MAIN ST	No Report
09/20/2019	1909200067	DUMP	13:28:30	101 SKYHORSE RANCH RD	Pending Recontact From Rp
09/20/2019	1909200074	DUI	13:47:25	828 EDWARDS ST	No Assistance Needed
09/20/2019	1909200148	FWKS	20:14:08	295 ROUNDHOUSE CREEK RD	Cancel Per Rp
09/20/2019	1909200149	XFER	20:14:37	90 SEADRIFT LN	Xfer to Fire
09/21/2019	1909210006	PC	00:45:26	LIGHTHOUSE GRILL	No Report
09/21/2019	1909210007	PED	00:49:38	380 JANIS CT	Cad Documentation Only
09/21/2019	1909210066	SUSPP	11:23:08	1 BAKER RANCH RD	Arrest Made
09/21/2019	1909210088	RJ	15:31:38	199 N WESTHAVEN DR	Cad Documentation Only
09/21/2019	1909210142	PC	21:08:50	PARKER ST/TRINITY ST	Gone On Arrival
09/21/2019	1909210146	VEHI	21:27:12	SCENIC DR	Field Interview
09/22/2019	1909220069	911C	12:45:12	(UNKNOWN ADDRESS)	Cad Documentation Only
09/22/2019	1909220074	415	13:08:58	1146 DRIVER RD	Cad Documentation Only
09/22/2019	1909220076	FU	13:40:14	1146 DRIVER RD	Cad Documentation Only
09/22/2019	1909220108	PC	18:59:59	389 MAIN ST	No Report

Date	Inc #	Type	Time	Location	Dispositio
09/23/2019	1909230014	XFER	03:17:00	27 SCENIC DR	Xfer to CHP
09/23/2019	1909230110	911M	16:26:43	199 N WESTHAVEN DR	Cad Documentation Only
09/23/2019	1909230145	FP	21:29:51	380 JANIS CT	No Report
09/23/2019	1909230146	VEHI	21:43:23	LIGHTHOUSE RD	Field Interview
09/24/2019	1909240035	XFER	07:00:14	.101/NEAR BIG LAGOON	Xfer to CHP
09/24/2019	1909240043	XFER	07:33:56	.101/BIG LAGOON	Xfer to CHP
09/24/2019	1909240078	ANIMAL	10:40:31	3550 PATRICKS POINT DR	Cad Documentation Only
09/24/2019	1909240151	INC	17:46:23	1018 N WESTHAVEN DR	Accidental Dial
09/24/2019	1909240199	WELF	22:43:35	723 VAN WYCKE ST	Cancel Per Rp
09/25/2019	1909250005	PROWL	00:19:12	931 KINGDOM RD	Cancel Per Rp
09/25/2019	1909250046	594	08:15:42	/SCENIC DR	Report Taken
09/25/2019	1909250101	PED	10:48:49	122 MOONSTONE BEACH RD	Field Interview
09/25/2019	1909250130	JUVL	12:40:27	300 TRINITY ST	Cad Documentation Only
09/25/2019	1909250147	FP	13:52:32	MAIN ST/SCENIC DR	No Report
09/25/2019	1909250156	TRF	14:48:58	170 SCENIC DR	Warned
09/25/2019	1909250161	TRF	15:00:36	N/A	Cited
09/25/2019	1909250208	SUSPC	19:06:20	950 SCENIC DR	No Report
09/26/2019	1909260030	488	07:52:54	2265 PATRICKS POINT DR	Report Taken
09/26/2019	1909260079	VEHI	10:46:51	1639 SCENIC DR	Warned
09/26/2019	1909260094	TRF	12:10:40	PATRICKS POINT DR/MAIN S	Warned
09/26/2019	1909260111	ASSISTP	13:22:25	BIG LAGOON PARK RD/STATE	Public Assist
09/26/2019	1909260154	XFER	16:55:57	27 SCENIC DR	Xfer to Medical
09/26/2019	1909260171	33X	19:06:37	658 OLD WAGON RD	Billable Alarm
09/26/2019	1909260173	TRF	19:23:05	S WESTHAVEN DR/SCENIC DR	Cited
09/27/2019	1909270035	XFER	09:07:47	66 SCENIC DR	Xfer to Medical
09/27/2019	1909270051	459	11:42:44	824 SCENIC DR	Cad Documentation Only
09/27/2019	1909270075	PROB	15:00:13	875 PATRICKS POINT DR	Negative Service
09/27/2019	1909270168	XFER	23:45:47	PATRICKS POINT STATE PAR	Xfer to CHP
09/28/2019	1909280009	PED	00:40:18	TRINITY ST/EDWARDS ST	Field Interview
09/28/2019	1909280097	AVA	16:12:36	446 6TH AVE	Marked For Abatement
09/29/2019	1909290019	415N	01:22:29	CRANFORD RD/OLD WAGON RD	uiet on Arrival or Departur
09/29/2019	1909290027	33X	03:31:18	1623 STAGECOACH RD	Billable Alarm
09/29/2019	1909290046	33X	08:20:21	2070 JENNINGS RD	Billable Alarm
09/29/2019	1909290118	SAR	20:07:46	4150 PATRICKS POINT DR	Cad Documentation Only

CONSENT AGENDA ITEM 4

SUPPORTING DOCUMENTATION FOLLOWS WITH: 52 PAGES

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4. League of CA's 2019 Annual Conference Resolutions

LEAGUE OF CALIFORNIA CITIES

September 6, 2019

To: Mayors, City Managers and City Clerks

From: Dan Carrigg, Deputy Executive Director and Legislative Director, League of California Cities

Re: League's 2019 Annual Conference Resolutions Packet

Please find an enclosed copy of the Resolutions Packet for the League of California Cities' 2019 Annual Conference, October 16-18 in Long Beach. The conference announcement has previously been sent to all cities and we hope that you and your colleagues will be able to join us. More information about the conference is available on the League's Web site at www.cacities.org/ac.

Two resolutions have been submitted. The attached comprehensive packet contains the text of the proposed resolutions, background materials supplied by the sponsors, supporting letters from cities and city officials, and League staff analyses for each resolution. The packet also includes detailed information on the League's resolution process including meeting locations and times when the resolutions will be considered. A copy of the resolution packet is posted on the League's website for your convenience: www.cacities.org/resolutions.

Resolutions:

- Resolution 1 - Amendment to Rule 20A –Calls upon the California Public Utilities Commission (CPUC) to expand its Rule 20A program for undergrounding overhead utilities to include projects in high fire hazard severity zones.
- Resolution 2 - International Transboundary Pollution Flows – Calls upon the state and the federal governments of the U.S. and Mexico to address water quality issues resulting from transboundary flows from Mexico's Tijuana River into the United States.

Closing Luncheon/General Assembly - Friday, October 18, 12:30 p.m., Long Beach Convention Center.

Voting Delegates: In order to vote at the Annual Business Meeting, your city council must designate a voting delegate. Your city may also appoint up to two alternate voting delegates, one of whom may vote in the event that the designated voting delegate is unable to serve in that capacity. If your city has not already done so, *Please complete the Voting Delegate form and return it to the League's office no later than Friday, October 4.* This will allow us time to establish voting delegate/alternate records prior to the conference.

We encourage each city council to consider the resolutions and to determine a city position so that your voting delegate can represent your city's position on the resolution. Should you have any questions regarding the attached material, please contact Carly Shelby cshelby@cacities.org 916-658-8279 or Meg Desmond mdesmond@cacities.org 916-658-8224 at the League office.

LEAGUE OF CALIFORNIA CITIES

Annual Conference Resolutions Packet

2019 Annual Conference Resolutions

Long Beach, California

October 16 – 18, 2019

1. **RESOLUTION OF THE LEAGUE OF CALIFORNIA CITIES CALLING ON THE CALIFORNIA PUBLIC UTILITIES COMMISSION TO AMEND RULE 20A TO ADD PROJECTS IN VERY HIGH FIRE HAZARD SEVERITY ZONES TO THE LIST OF ELIGIBILITY CRITERIA AND TO INCREASE FUNDING ALLOCATIONS FOR RULE 20A PROJECTS**

Source: City of Rancho Palos Verdes
Concurrence of five or more cities/city officials
Cities: City of Hidden Hills, City of La Cañada Flintridge, City of Laguna Beach, City of Lakeport, City of Malibu, City of Moorpark, City of Nevada City, City of Palos Verdes Estates, City of Rolling Hills Estates, City of Rolling Hills, City of Ventura
Referred to: Environmental Quality Policy Committee; Transportation, Communications, and Public Works Policy Committee

WHEREAS, the California Public Utilities Commission regulates the undergrounding conversion of overhead utilities under Electric Tariff Rule 20 and;

WHEREAS, conversion projects deemed to have a public benefit are eligible to be funded by ratepayers under Rule 20A; and

WHEREAS, the criteria under Rule 20A largely restricts eligible projects to those along streets with high volumes of public traffic; and

WHEREAS, the cost of undergrounding projects that do not meet Rule 20A criteria is left mostly or entirely to property owners under other parts of Rule 20; and

WHEREAS, California is experiencing fire seasons of worsening severity; and

WHEREAS, undergrounding overhead utilities that can spark brush fires is an important tool in preventing them and offers a public benefit; and

WHEREAS, brush fires are not restricted to starting near streets with high volumes of public traffic; and

WHEREAS, expanding Rule 20A criteria to include Very High Fire Hazard Severity Zones would facilitate undergrounding projects that would help prevent fires; and

WHEREAS, expanding Rule 20A criteria as described above and increasing funding allocations for Rule 20A projects would lead to more undergrounding in Very High Fire Hazard Severity Zones; and now therefore let it be,

RESOLVED that the League of California Cities calls on the California Public Utilities Commission to amend Rule 20A to include projects in Very High Fire Hazard Severity Zones to the list of criteria for eligibility and to increase funding allocations for Rule 20A projects.

Background Information on Resolution No. 1

Source: City of Rancho Palos Verdes

Background:
Rancho Palos Verdes is the most populated California city to have 90 percent or more of residents living in a Cal Fire-designated Very High Fire Hazard Severity Zone. Over the years, the Palos Verdes Peninsula has seen numerous brush fires that were determined to be caused by electrical utility equipment.

Across the state, some of the most destructive and deadly wildfires were sparked by power equipment. But when it comes to undergrounding overhead utilities, fire safety is not taken into account when considering using ratepayer funds to pay for these projects under California's Electric Tariff Rule 20 program. The program was largely intended to address visual blight when it was implemented in 1967. Under Rule 20A, utilities must allocate ratepayer funds to undergrounding conversion projects chosen by local governments that have a public benefit and meet one or more of the following criteria:

- Eliminate an unusually heavy concentration of overhead lines;
- Involve a street or road with a high volume of public traffic;
- Benefit a civic or public recreation area or area of unusual scenic interest; and,
- Be listed as an arterial street or major collector as defined in the Governor's Office of Planning and Research (OPR) Guidelines.

As we know, brush fires are not restricted to erupting in these limited areas. California's fire season has worsened in severity in recent years, claiming dozens of lives and destroying tens of thousands of structures in 2018 alone.

Excluding fire safety from Rule 20A eligibility criteria puts the task of undergrounding power lines in Very High Fire Hazard Severity Zones squarely on property owners who are proactive, willing and able to foot the bill.

The proposed resolution calls on the California Public Utilities Commission to amend Rule 20A to include projects in Very High Fire Hazard Severity Zones to the list of criteria for eligibility. To facilitate more undergrounding projects in these high-risk zones, the proposed resolution also calls on the CPUC to increase funding allocations for Rule 20A projects.

If adopted, utilities will be incentivized to prioritize undergrounding projects that could potentially save millions of dollars and many lives.

League of California Cities Staff Analysis on Resolution No. 1

Staff: Rony Berdugo, Legislative Representative, Derek Dolfie, Legislative Representative, Caroline Cirrincione, Legislative Policy Analyst
Committees: Environmental Quality; Transportation, Communications, and Public Works

Summary:
This Resolution, in response to intensifying fire seasons and hazards associated with exposed energized utility lines, proposes that the League of California Cities (League) call upon the California Public Utilities Commission (CPUC) to amend the Rule 20A program by expanding the criteria for undergrounding overhead utilities to include projects in Very High Fire Hazard Severity Zones (VHFHSZ). This Resolution also proposes that the League call upon the CPUC to increase utilities' funding allocations for Rule 20A projects.

Background

California Wildfires and Utilities
Over the last several years, the increasing severity and frequency of California's wildfires have prompted state and local governments to seek urgent prevention and mitigation actions. Record breaking wildfires in Northern and Southern California in both 2017 and 2018 have caused destruction and loss of life. This severe fire trend has local officials seeking solutions to combat what is now a year-round fire season exacerbated by years of drought, intense weather patterns, untamed vegetation and global warming.

These conditions create a dangerous catalyst for wildfires caused by utilities as extreme wind and weather events make downed power lines more of a risk. In response to recent catastrophic wildfires, Governor Newsom established a Strike Force tasked with developing a "comprehensive roadmap" to address issues related to wildfires, climate change, and utilities. The Strike Force report acknowledges that measures to harden the electrical grid are critical to wildfire risk management. A key utility hardening strategy: undergrounding lines in extreme high-fire areas.

Governor Newsom's Wildfire Strike Force program report concludes, "It's not a question of "if" wildfire will strike, but "when."

Very High Fire Hazard Severity Zones
This Resolution seeks to expand the undergrounding of overhead utility lines in VHFHSZ. California Government Code Section 51178 requires the Director of the California Department of Forestry and Fire Protection (CalFIRE) to identify areas in the state as VHFHSZ based on the potential fire hazard in those areas. VHFHSZ are determined based on fuel loading, slope, fire weather, and other relevant factors. These zones are in both local responsibility areas and state responsibility areas. Maps of the statewide and county by county VHFHSZ can be found here.[1]

[1] https://osfm.fire.ca.gov/divisions/wildfire-prevention-planning-engineering/wildland-hazards-building-codes/fire-hazard-severity-zones-maps/

More than 25 million acres of California wildlands are classified under very high or extreme fire threat. Approximately 25 percent of the state's population, 11 million people, live in those high-risk areas. Additionally, over 350,000 Californians live in cities that are nearly encompassed within Cal Fire's maps of VHFHSZ. Similar to the proponents of this Resolution, City of Rancho Palos Verdes, over 75 communities have 90 percent or more of residents living in a VHFHSZ.

CPUC Rule 20 Program

The CPUC's Rule 20 program lays out the guidelines and procedures for converting overhead electric and telecommunication facilities to underground electric facilities. Rule 20 funding and criteria is provided at four levels. Levels A, B, and C, reflect progressively diminishing ratepayer funding for undergrounding projects. Recently added Rule 20D is a relatively new program that is specific to San Diego Gas and Electric (SDG&E), which was created in response to the destructive 2007 wildfires. Each of these levels will be discussed below:

Rule 20A

The first California overhead conversion program, Rule 20A, was created in 1967 under then Governor Ronald Reagan. The program was created to provide a consistent and structured means of undergrounding utility lines throughout the state with costs covered broadly by utility ratepayers.

Each year, Investor Owned Utilities (IOUs) propose their Rule 20A allocation amounts to the CPUC during annual general rate case proceedings. In this process, IOUs propose revised utility customer rates based on expected service costs, new energy procurement and projects for the following year, including Rule 20 allocations. The CPUC then reviews, amends, and approves IOU rates. Currently, the cumulative budgeted amount for Rule 20A for Pacific Gas and Electric (PG&E), Southern California Edison (SCE), and San Diego Gas and Electric (SDG&E) totals around $95.7 million.

The funding set aside by IOUs for Rule 20A is allocated to local governments through a credit system, with each credit holding a value to be used solely for the costs of an undergrounding project. The credit system was created so that local governments and IOUs can complete undergrounding projects without municipal financing. Through Rule 20A, municipalities that have developed and received city council approval for an undergrounding plan receive annual credits from the IOU in their service area. At the last count by the CPUC, over 500 local governments (cities and counties) participate in the credit system.

While these credits have no inherent monetary value, they can be traded in or banked for the conversion of overhead lines. Municipalities can choose to accumulate their credits until their credit balance is sufficient to cover these conversion projects, or choose to borrow future undergrounding allocations for a period of up to five years. Once the cumulative balance of credits is sufficient to cover the cost of a conversion project, the municipality and the utility can move forward with the undergrounding. All of the planning, design, and construction is performed by the participating utility. Upon the completion of an undergrounding project, the utility is compensated through the local government's Rule 20A credits.

At the outset of the program, the amount of allocated credits were determined by a formula which factored in the number of utility meters within a municipality in comparison to the utilities' service territory. However, in recent years the formula has changed. Credit allocations for IOUs, except for PG&E, are now determined based on the allocation a city or county received in 1990 and is then adjusted for the following factors:

- 50% of the *change from the 1990* total budgeted amount is allocated for the ratio of the number of overhead meters in any city or unincorporated area to the total system overhead meters; and
- 50% of the *change from the 1990* total budgeted amount is allocated for the ratio of the number of meters (which includes older homes that have overhead services, and newer homes with completely underground services) in any city or the unincorporated area to the total system meters.

As noted, PG&E has a different funding formula for their Rule 20A credit allocations as they are not tied to the 1990 base allocation. Prior to 2011, PG&E was allocating approximately five to six percent of its revenue to the Rule 20A program. The CPUC decided in 2011 that PG&E's Rule 20A allocations should be reduced by almost half in an effort to decrease the growing accumulation of credits amongst local governments. Since 2011, PG&E's annual allocations for Rule 20A have been around $41.3 million annually, which is between two and three percent of their total revenue.

Criteria for Rule 20A Projects

For an undergrounding project to qualify for the Rule 20A program, there are several criteria that need to be met. The project must have a public benefit and:

1. Eliminate an unusually heavy concentration of overhead lines
2. Involve a street or road with a high volume of public traffic
3. Benefit a civic or public recreation area or area of unusual scenic interest,
4. Be listed as an arterial street or major collector as defined in the Governor's Office of Planning and Research (OPR) Guidelines

Notably, fire safety is excluded from the list of criteria that favors aesthetic and other public safety projects.

Rule 20A Credit System Imbalance Threatens Program Effectiveness

Allocations are made by utilities each year for Rule 20A credits. These current budget allocations total $95.7 million a year. Currently, the cumulative balance of credits throughout the state totals over $1 billion dollars. The Rule 20A cumulative balances aggregated by region can be found here.[2]

[2] Program Review, California Overhead Conversion Program, Rule 20A for Years 2011-2015, "The Billion Dollar Risk," California Public Utilities Commission.
https://www.cpuc.ca.gov/uploadedFiles/CPUC_Public_Website/Content/About_Us/Organization/Divisions/Policy_and_Planning/PPD_Work_Products_(2014_forward)(1)/PPD_Rule_20-A.pdf

Note: The existing credit allocation formulas do not consider a municipality's need or plans for overhead conversion projects, resulting in large credit balances in some jurisdictions.

Cities and counties are, however, able to trade or sell unallocated Rule 20A credits if they will not be used to fund local undergrounding projects. There have been several cases where one agency has sold their unused credits, often for less than the full dollar value of the credits themselves to another agency.

Rule 20B
Rule 20B projects are those that do not fit the Rule 20A criteria, but do, however, involve both sides of the street for at least 600 feet. These projects are typically done in conjunction with larger developments and are mostly paid for by the developer or applicant. Additionally, the applicant is responsible for the installation.

Rule 20C
Rule 20C projects are usually small projects that involve property owners. The majority of the cost is usually borne by the applicants. Rule 20C applies when the project does not qualify for either Rule 20A or Rule 20B.

Rule 20D--Wildfire Mitigation Undergrounding Program
Rule 20D was approved by the CPUC in January of 2014 and only applies to SDG&E. The Rule 20D program was established largely in response to the destructive wildfires that occurred in San Diego in 2007 as a wildfire mitigation undergrounding program. According to SDG&E, the objective of the Rule 20D undergrounding is exclusively for fire hardening as opposed to aesthetics. The program is limited in scope and is restricted to communities in SDG&E's Fire Threat Zone (now referred to as the High Fire Threat District or HFTD). As of this time, the program has yet to yield any projects and no projects are currently planned.

For an undergrounding project to qualify for the Rule 20D program, a minimum of three of the following criteria must be met. The project must be near, within, or impactful to:

- Critical electric infrastructure
- Remaining useful life of electric infrastructure
- Exposure to vegetation or tree contact
- Density and proximity of fuel
- Critical surrounding non-electric assets (including structures and sensitive environmental areas)
- Service to public agencies
- Accessibility for firefighters

Similar to Rule 20A, SDG&E must allocate funding each year through their general rate case proceedings to Rule 20D to be approved by the CPUC. This funding is separate from the allocations SDG&E makes for Rule 20A. However, the process of distributing this funding to localities is different. The amount of funding allocated to each city and county for Rule 20D is based on the ratio of the number of miles of overhead lines in SDG&E Fire Threat Zones in a city or county to the total miles of SDG&E overhead lines in the entire SDG&E fire zone. The

Rule 20D program is administered by the utility consistent with the existing reporting, engineering, accounting, and management practices for Rule 20A.

The Committee may want to consider whether Rule 20D should instead be expanded, adapted, or further utilized to support funding for overhead conversions within VHFHSZ throughout the state.

Fiscal Impact:
The costs to the State associated with this Resolution will be related to the staff and programmatic costs to the CPUC to take the necessary measures to consider and adopt changes to Rule 20A to include projects in VHFHSZ to the list of criteria for eligibility.

This Resolution calls for an unspecified increase in funding for Rule 20A projects, inferring that portions of increased funds will go towards newly eligible high fire hazard zones. While the Resolution does not request a specific amount be allocated, it can be assumed that these increased costs will be supported by utility ratepayers. According to the CPUC, the annual allocations towards Rule 20A are $95.7 million.

The CPUC currently reports a cumulative credit surplus valued at roughly $1 billion that in various regions, given the approval of expanded eligibility called for by this Resolution, could be used to supplement and reduce the level of new dollars needed to make a significant impact in VHFHSZ. The CPUC follows that overhead conversion projects range from $93,000 per mile for rural construction to $5 million per mile for urban construction.

The Resolution states that "California is experiencing fire seasons of worsening severity" which is supported by not only the tremendous loss of property and life from recent wildfires, but also in the rising costs associated with clean up, recovery, and other economic losses with high estimates in the hundreds of billions of dollars.

The Committee may wish to consider the costs associated with undergrounding utility lines in relation to the costs associated with past wildfires and wildfires to come.

Comments:
CPUC Currently Exploring Revisions to Rule 20
In May 2017, the CPUC issued an Order Instituting Rulemaking to Consider Revisions to Electric Rule 20 and Related Matters. The CPUC will primarily focus on revisions to Rule 20A but may make conforming changes to other parts of Rule 20. The League is a party in these proceedings will provide comments.

Beyond Rule 20A: Additional Options for Funding Undergrounding Projects
There are various ways in which cities can generate funding for undergrounding projects that fall outside of the scope of Rule 20A. At the local level, cities can choose to forgo the Rule 20A process and opt to use their own General Fund money for undergrounding. Other options are also discussed below:

Rule 20D Expansion

The City of Berkley in a 2018 study titled "Conceptual Study for Undergrounding Utility Wires in Berkley," found that the city could possibly qualify for Rule 20D funding if they actively pursued this opportunity in partnership with PG&E and the CPUC.

One of the study's recommendations is to advocate for release of 20D funds (now earmarked exclusively for SDG&E) to be used for more aggressive fire hardening techniques for above-ground utility poles and equipment, for undergrounding power lines, and for more aggressive utility pole and vegetation management practices in the Very High Hazard Fire Zone within Berkeley's city limits.

As an alternative to changing the criteria for Rule 20A, the Committee may wish to consider whether there is the opportunity to advocate for the expansion of Rule 20D funding more broadly, expanding its reach to all IOU territories.

Franchise Surcharge Fees

Aside from Rule 20 allocations, cities can generate funding for undergrounding through franchise fee surcharges. For example, SDG&E currently operates under a 50-year City franchise that was granted in 1970. Under the franchises approved by the San Diego City Council in December 1970, SDG&E agreed to pay a franchise fee to the City equivalent to 3% of its gross receipts from the sales of both natural gas and electricity for 30 years.

These fees were renegotiated in 2000 and in 2001 an agreement was between the City of San Diego, SDG&E, and the CPUC to extend the existing franchise fee to include revenues collected from surcharges. SDG&E requested an increase of 3.88% to its existing electric franchise fee surcharge. The bulk, 3.53% of this increase is to be used for underground conversion of overhead electric wires.

Based on SDG&E's revenue projections, the increase would result in an additional surcharge revenue amount of approximately $36.5 million per year. SDG&E estimates that this would create a monthly increase of approximately $3.00 to a typical residential customer's electric bill. These surcharge revenues would pay for additional undergrounding projects including those that do not meet the Rule 20A criteria. The City of Santa Barbara has also adopted a similar franchise surcharge fee.

Having this funding source allows the City of San Diego to underground significantly more miles of above ground utility lines than other municipalities. However, the surcharge is currently being challenged in court, as it is argued that the City had SDG&E impose a tax without a ballot measure.

Utility Bankruptcy and Undergrounding Funding
In considering this Resolution, it is important to understand that Rule 20A allocations have been more substantial in the past. As mentioned earlier, prior to 2011, PG&E was allocating approximately 5% to 6% of its revenue to the Rule 20A program. Therefore, it is not unreasonable to encourage an increase in Rule 20A allocations as history shows that utilities had the capacity to do so in the past.

However, in a time where IOUs such as PG&E are facing bankruptcy as the result of utility caused wildfires, there is the possibility that expanding rule 20A funding will generate more costs for the ratepayers.

Questions to Consider:

1) Is Rule 20A or Rule 20D the more appropriate program to advocate for such an expansion?
2) Are there any wildfire risks outside of VHFHSZ that could be mitigated by undergrounding projects?

Existing League Policy:

Public Safety:
The League supports additional funding for local agencies to recoup the costs associated with fire safety in the community and timely mutual aid reimbursement for disaster response services in other jurisdictions. (pg. 43)

The League supports the fire service mission of saving lives and protecting property through fire prevention, disaster preparedness, hazardous-materials mitigation, specialized rescue, etc., as well as cities' authority and discretion to provide all emergency services to their communities. (pg. 43)

Transportation, Communication, and Public Works:
Existing telecommunications providers and new entrants shall adhere to local city policies on public utility undergrounding. (pg. 54)

The League supports protecting the additional funding for local transportation and other critical unmet infrastructure needs. (pg. 51)

The League supports innovative strategies including public private partnerships at the state and local levels to enhance public works funding. (pg. 52)

Environmental Quality
The League opposes any legislation that interferes with local utility rate setting authority and opposes any legislation that restricts the ability of a city to transfer revenue from a utility (or other enterprise activity) to the city's general fund. (pg. 9)

Cities should continue to have the authority to issue franchises and any program should be at least revenue neutral relative to revenue currently received from franchises. (pg. 9)

The League is concerned about the impacts of escalating energy prices on low income residents and small businesses. The League supports energy pricing structures and other mechanisms to soften the impacts on this segment of our community. (pg. 10)

2019 Strategic Goals

Improve Disaster Preparedness, Recovery and Climate Resiliency.

- Provide resources to cities and expand partnerships to better prepare for and recover from wildfires, seismic events, erosion, mudslides and other disasters.
- Improve community preparedness and resiliency to respond to climate-related, natural and man-made disasters.

Support:

The following letters of concurrence were received:
The City of Hidden Hills
The City of La Cañada Flintridge
The City of Laguna Beach
The City of Lakeport
The City of Malibu
The City of Moorpark
The City of Nevada City
The City of Palos Verdes Estates
The City of Rolling Hills Estates
The City of Rolling Hills
The City of Ventura

LETTERS OF CONCURRENCE

Resolution No. 1

Amendment to Rule 20A

2. A RESOLUTION CALLING UPON THE FEDERAL AND STATE GOVERNMENTS TO ADDRESS THE DEVASTATING IMPACTS OF INTERNATIONAL TRANSBOUNDARY POLLUTION FLOWS INTO THE SOUTHERNMOST REGIONS OF CALIFORNIA AND THE PACIFIC OCEAN

Source: San Diego County Division
Concurrence of five or more cities/city officials
Cities: Calexico; Coronado; Imperial Beach; San Diego
Individual City Officials: City of Brawley: Mayor Pro Tem Norma Kastner-Jauregui; Council Members Sam Couchman, Luke Hamby, and George Nava. City of Escondido: Deputy Mayor Consuelo Martinez. City of La Mesa: Council Member Bill Baber. City of Santee: Mayor John Minto, City of Vista: Mayor Judy Ritter and Council Member Amanda Young Rigby
Referred to: Environmental Quality Policy Committee

WHEREAS, international transboundary rivers that carry water across the border from Mexico into Southern California are a major source of sewage, trash, chemicals, heavy metals and toxins; and

WHEREAS, transboundary flows threaten the health of residents in the United States and Mexico, harm important estuarine land and water of international significance, force closure of beaches, damage farmland, adversely impact the South San Diego County and Imperial County economy; compromise border security, and directly affect U.S. military readiness; and

WHEREAS, a significant amount of untreated sewage, sediment, hazardous chemicals and trash have been entering southern California through both the Tijuana River Watershed (75 percent of which is within Mexico) and New River flowing into southern California's coastal waterways and residential and agricultural communities in Imperial County eventually draining into the Salton Sea since the 1930s; and

WHEREAS, in February 2017, an estimated 143 million gallons of raw sewage flowed into the Tijuana River and ran downstream into the Pacific Ocean and similar cross border flows have caused beach closures at Border Field State Park that include 211 days in 2015; 162 days in 2016; 168 days in 2017; 101 days in 2018; and 187 days to date for 2019 as well as closure of a number of other beaches along the Pacific coastline each of those years; and

WHEREAS, approximately 132 million gallons of raw sewage has discharged into the New River flowing into California through communities in Imperial County, with 122 million gallons of it discharged in a 6-day period in early 2017; and

WHEREAS, the presence of pollution on state and federal public lands is creating unsafe conditions for visitors; these lands are taxpayer supported and intended to be managed for recreation, resource conservation and the enjoyment by the public, and

WHEREAS, the current insufficient and degrading infrastructure in the border zone poses a significant risk to the public health and safety of residents and the environment on both

sides of the border, and places the economic stress on cities that are struggling to mitigate the negative impacts of pollution; and

WHEREAS, the 1944 treaty between the United States and Mexico regarding *Utilization of Waters of the Colorado and Tijuana Rivers and of the Rio Grande* allocates flows on trans-border rivers between Mexico and the United States, and provides that the nations, through their respective sections of the International Boundary Water Commission shall give control of sanitation in cross border flows the highest priority; and

WHEREAS, in 1993, the United States and Mexico entered into the *Agreement Between the Government of the United States of America and the Government of the United Mexican States Concerning the Establishment of a North American Development Bank* which created the North American Development Bank (NADB) to certify and fund environmental infrastructure projects in border-area communities; and

WHEREAS, public concerns in response to widespread threats to public health and safety, damage to fish and wildlife resources and degradation to California's environment resulting from transboundary river flow pollution in the southernmost regions of the state requires urgent action by the Federal and State governments, and

WHEREAS, Congress authorized funding under the U.S. Environmental Protection Agency's (EPA) Safe Drinking Water Act and established the State and Tribal Assistance Grants (STAG) program for the U.S.-Mexico Border Water Infrastructure Program (BWIP) in 1996 to provide grants for high-priority water, wastewater, and storm-water infrastructure projects within 100 kilometers of the southern border; and

WHEREAS, the EPA administers the STAG and BWIP programs, and coordinates with the North American Development Bank (NADB) to allocate BWIP grant funds to projects in the border zone; and

WHEREAS, since its inception, the BWIP program has provided funding for projects in California, Arizona, New Mexico and Texas that would not have been constructed without the grant program; and

WHEREAS, the BWIP program was initially funded at $100 million per year, but, over the last 20 years, has been continuously reduced to its current level of $10 million; and

WHEREAS, in its FY 2020 Budget Request, the Administration proposed to eliminate the BWIP program; and

WHEREAS, officials from EPA Region 9, covering California, have identified a multitude of BWIP-eligible projects along the southern border totaling over $300 million; and

WHEREAS, without federal partnership through the BWIP program and state support to address pollution, cities that are impacted by transboundary sewage and toxic waste flows are

left with limited resources to address a critical pollution and public health issue and limited legal remedies to address the problem; and

WHEREAS, the National Association of Counties, (NACo) at their Annual Conference on July 15, 2019 and the U.S. Conference of Mayors at their Annual Conference on in July 1, 2019 both enacted resolutions calling on the federal and state governments to work together to fund and address this environmental crisis; and

WHEREAS, local governments and the public support the State's primary objectives in complying with environmental laws including the Clean Water Act, Porter-Cologne Water Quality Control Act, and Endangered Species Act and are supported by substantial public investments at all levels of government to maintain a healthy and sustainable environment for future residents of California, and

WHEREAS, League of California Cities policy has long supported efforts to ensure water quality and oppose contamination of water resources; and

NOW, THEREFORE, BE IT RESOLVED at the League General Assembly, assembled at the League Annual Conference on October 18, 2019 in Long Beach, that the League calls upon the Federal and State governments to restore and ensure proper funding to the U.S- Mexico Border Water Infrastructure Program (BWIP) and recommit to working bi-nationally to develop and implement long-term solutions to address serious water quality and contamination issues, such as discharges of untreated sewage and polluted sediment and trash-laden transboundary flows originating from Mexico, that result in significant health, environmental, and safety concerns in communities along California's southern border impacting the state.

Background Information on Resolution No. 2

Source: San Diego County Division

Background:
Along California's southern border with Mexico, the New River in Imperial County and the Tijuana River in San Diego County are a major sources of raw sewage, trash, chemicals, heavy metals, and toxins that pollute local communities. Sewage contaminated flows in the Tijuana River have resulted in significant impacts to beach recreation that includes the closure of Border Field State Beach for more than 800 days over the last 5-years. Similarly, contaminated flows in the New River presents comparable hazards, impacts farm land, and contributes to the ongoing crisis in the Salton Sea. These transboundary flows threaten the health of residents in California and Mexico, harms the ecosystem, force closures at beaches, damage farm land, makes people sick, and adversely affects the economy of border communities. The root cause of this cross border pollution is from insufficient or failing water and wastewater infrastructure in the border zone and inadequate federal action to address the problem through existing border programs.

The severity of cross border pollution has continued to increase, due in part to the rapid growth of urban centers since the passage of the North American Free Trade Agreement (NAFTA). While economic growth has contributed to greater employment, the environmental infrastructure of the region has not kept pace, which is why Congress authorized the Border Water Infrastructure Program (BWIP) in 1996. The U.S. Environmental Protection Agency (EPA) administers the BWIP and coordinates with the North American Development Bank (NADB) to provide financing and technical support for projects on both sides of the U.S./Mexico border. Unfortunately, the current BWIP funding at $10 million per year is only a fraction of the initial program budget that shares funding with the entire 2,000 mile Mexican border with California, Arizona, New Mexico and Texas. EPA officials from Region 9 have identified an immediate need for BWIP projects totaling over $300 million just for California. Without federal partnerships through the BWIP and state support to address cross border pollution, cities that are impacted by transboundary sewage and toxic waste flows are left with limited resources to address a critical pollution and public health issue.

The International Boundary and Water Commission (IBWC) is another important federal stakeholder that, under the Treaty of 1944 with Mexico, must address border sanitation problems. While IBWC currently captures and treats some of the pollution generated in Mexico, it also redirects cross border flows without treatment directly into California.

Improving environmental and public health conditions for communities along the border is essential for maintaining strong border economy with Mexico. The IBWC, EPA, and NADB are the important federal partners with existing bi-national programs that are able to immediately implement solutions on cross border pollution. California is in a unique position to take the lead and work with local and federal partners to implement real solutions that will addresses the long standing and escalating water quality crisis along the border.

For those reasons, the cities of Imperial Beach and Coronado requested the San Diego County Division to propose a resolution at the 2019 League Annual Conference calling upon the federal

and state governments to address the devastating impacts of international transboundary pollution flows into the waterways of the southernmost regions of California, San Diego and Imperial Counties and the Pacific Ocean.

On August 12, 2019 at the regularly scheduled meeting of the San Diego County Division, the membership unanimously endorsed submittal of the resolution, with close to 75% membership present and voting.

The Imperial County Division does not have a schedule meeting until after the deadline to submit proposed resolutions. However, the City of Calexico, which is most directly impacted by initial pollution flow of the New River from Mexicali, sent a letter in concurrence of this resolution as well as numerous city official from cities within Imperial County and the Imperial County Board of Supervisors. The League Imperial County Division will place a vote to support this resolution on the agenda of their September 26, 2019 meeting.

League of California Cities Staff Analysis on Resolution No. 2

Staff: Derek Dolfie, Legislative Representative
Carly Shelby, Legislative and Policy Development Assistant
Committees: Environmental Quality

Summary:
This Resolution states that the League of California Cities should call upon the State and Federal governments to restore and ensure proper funding for the U.S. – Mexico Border Water Infrastructure Program (BWIP) and work bi-nationally to address water quality issues resulting from transboundary flows from Mexico's Tijuana River into the United States containing untreated sewage, polluted sediment, and trash.

Background:
The League of California Cities' San Diego County Division is sponsoring this resolution to address their concerns over the contaminated flows from the Tijuana River into California that have resulted in the degradation of water quality and water recreational areas in Southern California.

The Tijuana River flows north through highly urbanized areas in Mexico before it enters the Tijuana River Estuary and eventually the Pacific Ocean via waterways in San Diego County in California. Urban growth in Tijuana has contributed to a rise in rates of upstream flows from water treatment facilities in Mexico. These treatment facilities have raised the amount of untreated sewage and waste in the Tijuana River due to faulty infrastructure and improper maintenance. The federal government refers to the river as an "impaired water body" because of the presence of pollutants in excess, which pose significant health risks to residents and visitors in communities on both sides of the border.

Federal Efforts to Address Pollution Crisis
To remedy the Tijuana River's low water quality, the United States and Mexico entered into a Treaty in 1944 entitled: *Utilization of Waters of the Colorado River and Tijuana Rivers and of the Rio Grande – the International Boundary and Water Commission* (IBWC). The IBWC was designed to consist of a United States section and a Mexico section. Both sections were tasked with negotiating and implementing resolutions to address water pollution in the area, which includes overseeing the development of water treatment and diversion infrastructure.

After the formation of the IBWC, the U.S. and Mexico entered into a treaty in 1993 entitled: *Agreement Concerning the Establishment of a Border Environment Cooperation Commission and a North American Development Bank.* This agreement established the North American Development Bank (NADB), which certifies and funds infrastructure projects located within 100 kilometers (62 miles) of the border line. The NADB supports federal programs like the Border Water Infrastructure Program (BWIP), which was initially funded at $100 million, annually.

The degradation of existing water treatment infrastructure along the border coincides with the federal government's defunding of the BWIP, which has steadily decreased from $100 million in 1996 to $10 million today. The Federal FY 2020 Budget proposes eliminating BWIP funding

altogether. EPA's regions 6 and 9 (includes U.S. states that border Mexico) have identified a number of eligible projects that address public health and environmental conditions along the border totaling $340 million.

The NADB has funded the development of water infrastructure in both the U.S. and Mexico. Water diversion and treatment infrastructure along the U.S – Mexico border includes, but is not limited to, the following facilities:

- *The South Bay International Wastewater Treatment Plant (SBIWTP).* This facility was constructed by the U.S. in 1990 and is located on the California side of the border and is operated under the jurisdiction of the IBWC. The SBIWTP serves as a diversion and treatment sewage plant to address the flow of untreated sewage from Mexico into the United States.
- *Pump Station CILA.* CILA was constructed by Mexico in 1991 and is located along the border in Mexico. This facility serves as the SBIWTP's Mexican counterpart.

Both the SBIWTP and CILA facilities have had a multitude of overflows containing untreated sewage and toxic waste that spills into the Tijuana River. The cause of overflows can be attributed to flows exceeding the maximum capacity that the infrastructure can accommodate (this is exacerbated during wet and rainy seasons) and failure to properly operate and maintain the facilities. Much of the existing infrastructure has not had updates or repairs for decades, causing overflows to become more frequent and severe. The most notable overflow occurred in February 2017, wherein 143 million gallons of polluting waste discharged into the Tijuana River; affecting the Tijuana Estuary, the Pacific Ocean, and Southern California's waterways.

State Actions

In response to the February 2017 overflow, the San Diego Water Board's Executive Officer sent a letter to the U.S. and Mexican IBWC Commissioners which included recommendations on how to improve existing infrastructure and communications methods between both nations.

In September of 2018, California Attorney General Xavier Becerra submitted a lawsuit against IBWC for Violating the Clean Water Act by allowing flows containing sewage and toxic waste to flow into California's waterways, posing a public health and ecological crisis. The cities of Imperial Beach, San Diego, Chula Vista, the Port of San Diego, and the San Diego Regional Water Quality Board have also filed suit against the IBWC. The suit is awaiting its first settlement conference on October 19, 2019. If parties are unable to reach a settlement, the case will go to trial.

Fiscal Impact:

California's economy is currently the sixth largest in the world, with tourism spending topping $140.6 billion in 2018. In the past five years, San Diego's Border Field State Park has been closed for over 800 days because of pollution from the Tijuana River. A decline in the State's beach quality and reputation could carry macroeconomic effects that could ripple outside of the San Diego County region and affect coastal communities throughout California.

Existing League Policy

The League of California Cities has extensive language on water in its Summary of Existing Policy and Guiding Principles. Fundamentally, the League recognizes that beneficial water quality is essential to the health and welfare of California and all of its citizens. Additionally, the League advocates for local, state and federal governments to work cooperatively to ensure that water quality is maintained.

The following policy relates to the issue of water quality:

- Surface and groundwater should be protected from contamination.
- Requirements for wastewater discharge into surface water and groundwater to safeguard public health and protect beneficial uses should be supported.
- When addressing contamination in a water body, water boards should place priority emphasis on clean-up strategies targeting sources of pollution, rather than in stream or end-of-pipe treatment.
- Water development projects must be economically, environmentally and scientifically sound.
- The viability of rivers and streams for instream uses such as fishery habitat, recreation and aesthetics must be protected.
- Protection, maintenance, and restoration of fish and wildlife habitat and resources.

Click here to view the **Summary of Existing Policy and Guiding Principles 2018**.

Comments:

1. Water quality issues are prevalent across California and have been a constant priority of the State's legislature and residents. In 2014, California's voters approved Proposition 1, which authorized $7.5 billion in general obligation bonds to fund water quality improvement projects. In 2019, the Legislature reached an agreement to allocate $130 million from the State's Greenhouse Gas Reduction Fund (GGRF) to address failing water infrastructure and bad water qualities for over one million of California's residents in rural communities. Water quality is not an issue unique to the County of San Diego and communities along the border.

2. Tijuana River cross-border pollution has caught national attention. Members of Congress have proposed recent funding solutions to address the pollution crisis, including:
   - In February of 2019, California Congressional Representatives Vargas, Peters, and Davis helped secure $15 million for the EPA to use as part of its BWIP.
   - *H.R. 3895 (Vargas, Peters, 2019), The North American Development Bank Pollution Solution Act.* This bill seeks to support pollution mitigation efforts along the border by increasing the NADB's capital by $1.5 billion.
   - *H.R. 4039 (Levin, 2019), The Border Water Infrastructure Improvement Act.* This bill proposes increasing funding to the BWIP from the existing $10 million to $150 million as a continuous appropriation until 2025.

   Additionally, the National Association of Counties (NACo) and the U.S. Conference of Mayors enacted resolutions in support of increased funding for U.S. – Mexico border water infrastructure to address the environmental crisis in 2019.

3. The border pollution problem has sparked action from local, state, and federal actors. Should this resolution be adopted, League membership should be aware that future action will be adapted by what is explicitly stated in the resolution's language. In current form, the resolution's resolve clause cites the BWIP as the only program that should receive reinstated and proper funding. League staff recommends the language be modified to state:

   > **"NOW, THEREFORE, BE IT RESOLVED** at the League General Assembly, assembled at the League Annual Conference on October 18, 2019 in Long Beach, that the League calls upon the Federal and State governments to restore and ensure proper funding *for environmental infrastructure on the U.S. – Mexico Border, including* ~~to~~ the ~~U.S. Mexico~~ Border Water Infrastructure Program (BWIP), and recommit to working bi-nationally to develop and implement long-term solutions to address serious water quality and contamination issues, such as discharges of untreated sewage and polluted sediment and trash-laden transboundary flows originating from Mexico, that result in significant health, environmental, and safety concerns in communities along California's southern border impacting the state."

   Modifying the language would ensure enough flexibility for the League to support funding mechanisms outside of the prescribed federally-operated BWIP.

4. It remains unclear if there is an appetite in Washington to fund border-related infrastructure projects that address environmental quality. Given the high probability of another overflow containing waste and sewage from the existing infrastructure operated by the IBWC, League membership should consider the outcome if no resolution is reached to address the issue.

Support:

The following letters of concurrence were received:

Cities:

The City of Calexico
The City of Coronado
The City of Imperial Beach
The City of San Diego

In their individual capacity:

Amanda Young Rigby, City of Vista Council Member
Bill Baber, City of La Mesa Council Member
Consuelo Martinez, City of Escondido Deputy Mayor
George A. Nava, City of Brawley Council Member
John Minto, City of Santee Mayor
Judy Ritter, City of Vista Mayor
Luke Hamby, City of Brawley Council Member
Norma Kastner-Jauregui, City of Brawley Mayor Pro-Tempore
Sam Couchman, City of Brawley Council Member

LETTERS OF CONCURRENCE

Resolution No. 2

International Transboundary
Pollution Flows

DISCUSSION AGENDA ITEM 1

SUPPORTING DOCUMENTATION FOLLOWS WITH: 4 PAGES

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1. Discussion/Presentation regarding HCAOG Unmet Transit Needs Assessment.

HCAOG
Regional Transportation Planning Agency

611 I Street, Suite B
Eureka, CA 95501
707.444.8208
Fax: 707.444.8319
www.hcaog.net

August 23, 2018

Mr. Eli Naffah, City Manager
City of Trinidad
Post Office Box 390
Trinidad, CA 95570

Every year, as established by the California Transportation Development Act (TDA), the Humboldt County Association of Governments (HCAOG) is required to conduct a citizen participation process to identify any "unmet transit need" (UTN) in the County. This is done before TDA funds are distributed to local jurisdictions for non-transit purposes. If UTN's are identified, we further need to determine whether or not that need is "reasonable to meet".

The HCAOG Board of Directors will hold a public hearing on Thursday, October 17, 2019, to provide members of the public, local transit agencies, and local jurisdictions with the opportunity to discuss new or previously identified unmet transit needs.

Though not required, we encourage your agency to also conduct a public hearing between the timeline of September 12, 2019 through the end of October and forward us a record of all comments received.

Please provide your public hearing date to Christie Smith at christie.smith@hcaog.net by Friday, September 6, 2019. HCAOG will publish an ad in the Times Standard, on September 11, 2019, which will include a schedule of all hearing dates, times, and locations.

Enclosed for your information is a synopsis of the UTN process. If you hold a hearing, an HCAOG or SSTAC representative will attend to answer questions.

Thank you for your assistance.

Respectfully,

Philip Johnson
Associate Planner

Enclosures

ec: City Clerk

HUMBOLDT COUNTY ASSOCIATION OF GOVERNMENTS
Regional Transportation Planning Agency
Humboldt County Local Transportation Authority
Service Authority for Freeway Emergencies
611 I Street, Suite B
Eureka, CA 95501
(707) 444-8208
www.hcaog.net

SYNOPSIS:
Citizen Participation Process for Assessing Unmet Transit Needs

Transportation Development Act
California's Transportation Development Act (TDA) legislates funding for transit purposes primarily, and for non-transit purposes under certain conditions. TDA funds are distributed through transportation planning agencies throughout the state. HCAOG is required to assess unmet transit needs prior to allocating any TDA funds for purposes *not* directly related to public transit.

Public Process to Make a Finding
Each year, HCAOG conducts a citizen participation process to gather public input concerning transit needs within the region. HCAOG's Social Services Transportation Advisory Council (SSTAC) leads the process to solicit broad input from transportation-dependent and transportation-disadvantaged persons. In consideration of public input, the SSTAC's recommendations, and adherence to HCAOG's adopted definitions, the HCAOG Board is required to make one of the following findings:

(a) there are no unmet transit needs; or
(b) there are no unmet transit needs which are "reasonable to meet"; or
(c) there are unmet transit needs, including those that are "reasonable to meet".

If a documented unmet transit need that meets the test of "reasonable to meet", is identified within a specific jurisdiction the following will occur:

- The jurisdiction's Local Transportation Funds must be used to rectify the identified unmet transit need prior to using these funds for non-transit purposes, such as maintenance of streets and roads;
- The addition and/or modification of the existing transit system(s) must be considered to resolve the identified unmet transit need.

Report of Findings
HCAOG's SSTAC considers all public testimony and input, applies the adopted definitions and "reasonable to meet" criteria, and forwards a recommendation to the HCAOG Board in an annual report. The HCAOG Board will consider and adopt the Report of Findings no earlier than February of each year.

Opportunities for Public Comment on Unmet Transit Needs
Public hearings are held in the fall of each year. Comments may be provided at any of the unmet transit needs public hearings or submitted to HCAOG throughout the year via website, email, Facebook, in person, or telephone through the contact information below:

Website:	https://tinyurl.com/y38tlx9v
Email:	philip.johnson@hcaog.net
Facebook:	www.facebook.com/hcaog
Mail or in person:	HCAOG Office 611 I Street, Suite B, Eureka, CA 95501
Telephone:	(707) 444-8208

UNMET TRANSIT NEEDS DEFINITIONS

Unmet transit needs are, at a minimum:

(1) Trips requested from residents who do not have access to public transportation, specialized transportation, or private transport services or resources for the purpose of traveling to medical care, shopping, social/recreational activities, education/training, and employment; or

(2) Proposed public transportation, specialized transportation, or private transport services identified in the following (but not limited to): a Transportation Development Plan, Regional Transportation Plan, Coordinated Public Transit–Human Services Transportation Plan.

Additionally, the HCAOG TDA Rules stipulate that, for this process, unmet transit needs do not include:

- Improvements funded or scheduled for implementation in the next fiscal year
- Minor operational improvements or changes such as bus stops, schedules, and minor route changes
- Trips for primary or secondary school transportation
- Sidewalk improvements or street and road needs

Reasonable to meet criteria:

(1) To be considered "reasonable to meet", a service must be operationally feasible and financially sustainable, as defined below:

a) The service must have adequate roadways, and must be safe to operate.

b) Enough money should be available from identified sources of funding to pay for the marginal operating costs of the service continuously for three years.

(2) The service must be projected to meet a minimum "marginal farebox-return-ratio" of 10 percent within 2 years. If multiple competing services are requested, other factors may also be considered such as estimated subsidy per passenger trip and passengers per vehicle hour of service. For new service, ridership and farebox-return-ratio thresholds will be considered.

(3) Pursuant to the requirements of TDA Statutes (Public Utilities Code Section 99401.5c, a determination of needs that are "reasonable to meet" shall not be made by comparing unmet transit needs with the need for streets and roads, for the allocation of TDA funds.

(4) Once a service is determined to be "reasonable to meet" and is implemented, it can be expected that the ridership in the first 1-2 years of the new service will be less than the projected optimal ridership. Ridership should be evaluated at 6-month intervals to determine if service is meeting performance standards adopted by the transit provider, and specifically, whether the service meets a minimum 10 percent marginal farebox-return-ratio. If the service is being adequately promoted and fails to be within 60 percent of the identified standards after six months, 90 percent with the first year, or 100 percent within two years, the service may be cancelled and deemed "no longer reasonable to meet." An exception to this rule is when a community or group is willing to participate in sharing the ongoing cost of the new service.

Trinidad City Clerk

From: Philip Johnson <philip.johnson@hcaog.net>
Sent: Friday, August 23, 2019 11:14 AM
To: citymanager@trinidad.ca.gov; Trinidad City Clerk (Gabe)
Cc: Oona Smith; Christie Smith
Subject: Request to schedule Unmet Transit Needs (UTN) hearing
Attachments: Trinidad.pdf; 20-21 UTN Synopsis.pdf

Greetings,

The Unmet Transit Needs (UTN) season is upon us. Attached is a copy of the UTN synopsis and request for your agency to schedule a UTN hearing, with all of the details. If you are scheduling a hearing, please schedule it between September 12 and October 30. Please reply to christie.smith@hcaog.net with your hearing date information. A hard copy of these will also be sent out Monday.

Thanks!

--
Philip Johnson
HCAOG
philip.johnson@hcaog.net
707-444-8208

DISCUSSION AGENDA ITEM 2

SUPPORTING DOCUMENTATION FOLLOWS WITH: 16 PAGES

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2. Discussion/Presentation from GHD Regarding Stormwater Project Plans.

DISCUSSION AGENDA ITEM
Date: October 8, 2019

Item: DISCUSSION/PRESENTATION FROM GHD REGARDING STORM WATER PROJECT PLANS

Summary:

The ASBS Storm Water Management Improvement Project (Storm Water Project) draft plans are available for Council review. During the NEPA and CEQA processes, public and stakeholder input was solicited and addressed. Environmental clearance and the design report have been completed. GHD will provide a project overview and present the draft project plans for review and comment.

Background:

This Stormwater Project is the final phase of the stormwater improvements being implemented to eliminate the City's stormwater discharge into the Trinidad Bay/Pacific Ocean. The project is being paid for with $4.8 million in Proposition 84 grant funds and $500,000 in Rural Utility Service grant funding from the US Department of Agriculture.

Staff Recommendation:

Hear presentation and hold hearing for comment and discussion.

Attachments:

- Stormwater Project draft plans

CITY OF TRINIDAD

STORM WATER MANAGEMENT IMPROVEMENT PROJECT
AUGUST 2019

PREPARED BY

GHD

NOTE:
FUNDING FOR THIS PROJECT HAS BEEN PROVIDED IN FULL OR IN PART THROUGH AN AGREEMENT WITH THE STATE WATER RESOURCES CONTROL BOARD. THE CONTENTS OF THIS DOCUMENT DO NOT NECESSARILY REFLECT THE VIEWS AND POLICIES OF THE STATE WATER RESOURCES CONTROL BOARD, NOR DOES MENTION OF TRADE NAMES OR COMMERCIAL PRODUCTS CONSTITUTE ENDORSEMENT OR RECOMMENDATION FOR USE.

AREA MAP

LOCATION MAP

SHEET INDEX

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50% PLANS
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City of Trinidad

GHD Inc.
718 Third Street
Eureka California 95501 USA
T 1 707 443 8326 F 1 707 444 8330 W www.ghd.com

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Checked: SADS	Design Check: SADS	Project: STORM WATER MANAGEMENT IMPROVEMENT PROJECT	
Project Manager: SA	Date:	Title: COVER SHEET	
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		Original Size: ANSI D	Sheet No.: G-001

Sheet: 1 of 15

GENERAL NOTES

1. PROJECT REQUIRES A CLASS A GENERAL ENGINEERING CONTRACTOR'S LICENSE IN THE STATE OF CALIFORNIA.
2. CONTRACTOR SHALL FIELD VERIFY ALL EXISTING SITE CONDITIONS PRIOR TO THE COMMENCEMENT OF WORK AND REPORT ANY DISCREPANCIES TO THE OWNER'S REPRESENTATIVE. CONTRACTOR IS RESPONSIBLE FOR VISITING THE SITE AND BECOMING FAMILIAR WITH THE SITE CONDITIONS PRIOR TO BIDDING. SHOULD EXISTING CONDITIONS DIFFER FROM THOSE SHOWN OR INDICATED, OR IF IT APPEARS THAT THESE PLANS AND SPECIFICATIONS DO NOT ADEQUATELY DETAIL THE WORK TO BE DONE, CONTRACTOR SHALL NOTIFY THE ENGINEER PRIOR TO CONTINUING WITH ANY RELATED WORK. NO ALLOWANCE WILL BE MADE ON CONTRACTOR'S BEHALF FOR ANY EXTRA EXPENSE RESULTING FROM FAILURE OR NEGLECT IN DETERMINING THE CONDITIONS UNDER WHICH WORK IS TO BE PERFORMED. NOTED DIMENSIONS TAKE PRECEDENCE OVER SCALE.
3. QUANTITIES OF ITEMS, LENGTH OF PROJECT, AND SITE CONDITIONS SHOWN IN THE PLANS ARE APPROXIMATE. ALL MATERIALS SHALL BE FURNISHED AND INSTALLED BY THE CONTRACTOR UNLESS OTHERWISE NOTED.
4. CONTRACTOR AGREES TO ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR THE JOB SITE DURING THE COURSE OF CONSTRUCTION OF THIS PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY; THAT THIS REQUIREMENT SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS, AND THAT THE CONTRACTOR SHALL DEFEND, INDEMNIFY AND HOLD THE CITY, GHD, AND THEIR REPRESENTATIVES HARMLESS FROM ANY AND ALL LIABILITY, REAL AND/OR ALLEGED, IN CONJUNCTION WITH THE PERFORMANCE OF THIS PROJECT.
5. CONTRACTOR SHALL BE HELD RESPONSIBLE FOR ANY AND ALL DAMAGES TO EXISTING STRUCTURES, ROADS, AND UTILITIES DURING CONSTRUCTION. ALL DAMAGE SHALL BE RESTORED TO EQUAL OR BETTER CONDITION AT THE CONTRACTOR'S EXPENSE.
6. A SET OF SIGNED WORKING DRAWINGS AND A SET OF SPECIFICATIONS WILL BE KEPT AT ALL TIMES AT THE JOB SITE ON WHICH ALL CHANGES OR VARIATIONS IN THE WORK, INCLUDING ALL EXISTING UTILITIES, ARE TO BE RECORDED AND/OR CORRECTED DAILY AND SUBMITTED TO THE OWNER WHEN THE WORK TO BE DONE IS COMPLETED.
7. CONTRACTOR SHALL PROVIDE AND MAINTAIN SUFFICIENT TEMPORARY BARRIERS TO PROVIDE FOR THE SAFETY OF THE PUBLIC.
8. CONTRACTOR SHALL NOTIFY THE ENGINEER AT LEAST 72 HOURS IN ADVANCE OF COMMENCEMENT OF ANY PART OF THE WORK AND SHALL COORDINATE CONSTRUCTION SCHEDULE ACCORDINGLY.
9. UNSUITABLE EXCAVATED MATERIAL SHALL BE REMOVED FROM SITE AND DISPOSED OF IN A MANNER CONSISTENT WITH APPLICABLE REGULATIONS. THE CONTRACTOR SHALL ASSUME FULL RESPONSIBILITY AND EXPENSE FOR PROPER DISPOSAL OF UNSUITABLE MATERIALS TAKEN FROM SITE.
10. THE DESIGN FEATURES INCLUDING HORIZONTAL AND VERTICAL ALIGNMENTS, TYPICAL SECTIONS, APPROACHES, AND OTHER DESIGN DETAILS SHOWN ON THESE DESIGN PLANS SHALL NOT BE ALTERED OR MODIFIED IN ANY WAY DURING CONSTRUCTION WITHOUT THE EXPRESSED, WRITTEN DIRECTION AND APPROVAL OF THE ENGINEER OR OWNER'S REPRESENTATIVE. DRAINAGE STRUCTURES SHALL BE INSTALLED AS SHOWN ON THE PLANS WITH ONLY MINOR CORRECTIONS IN LOCATION SKEW AND/OR ELEVATIONS AS NEEDED TO FIT FIELD CONDITIONS AS DETERMINED BY THE ENGINEER OR OWNER'S REPRESENTATIVE.
11. THE CONTRACTOR SHALL READ AND MAKE CAREFUL EXAMINATION OF THE PLANS, SPECIFICATIONS, QUANTITIES AND MATERIAL ESTIMATES AND VISIT THE SITE OF THE PROPOSED CONSTRUCTION TO BECOME FAMILIAR WITH THE SITE CONDITIONS AND LIMITATIONS BEFORE MAKING A BID. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY AND ALL ERRORS RESULTING FROM THE FAILURE TO MAKE SUCH AN EXAMINATION. ANY INFORMATION DERIVED FROM THE MAPS, PLANS, SPECIFICATIONS, PROFILES, DRAWINGS OR FROM THE ENGINEER WILL NOT RELIEVE THE CONTRACTOR FROM ANY RISK OR FROM FULFILLING THE TERMS OF THE CONTRACT.
12. NO WORK SHALL BE PERFORMED OUTSIDE OF THE DESIGNATED CONSTRUCTION LIMITS WITHOUT THE APPROVAL OF THE OWNER'S REPRESENTATIVE.
13. THE CONTRACTOR IS RESPONSIBLE FOR COORDINATING ANY PUBLIC STAGING AREAS WITH THE CITY.
14. UPON COMPLETION OF THE CONSTRUCTION PROJECT, THE CONTRACTOR SHALL LEAVE THE PROJECT AREA FREE OF DEBRIS AND UNUSED MATERIAL. ALL DAMAGE CAUSED BY THE CONTRACTOR SHALL BE RESTORED TO AN "AS GOOD OR BETTER" CONDITION.
15. THE CONTRACTOR SHALL BE REQUIRED TO SAWCUT OR GRIND THE EXISTING ASPHALT PAVEMENT WHERE OLD ASPHALT IS TO TIE INTO THE NEW ASPHALT PAVEMENT. THE CONTRACTOR SHALL BE REQUIRED TO TAPER THE NEW ASPHALT CONCRETE SURFACING TO MATCH THE EXISTING PAVEMENT SECTION AT TIE-IN POINTS AND TO PROVIDE FOR A SMOOTH TRANSITION AS DIRECTED BY THE OWNER'S REPRESENTATIVE.
16. UNLESS OTHERWISE NOTED, THE CONTRACTOR SHALL PROTECT EXISTING SURVEY MONUMENTS WITHIN AND ADJACENT TO CONSTRUCTION LIMITS. ANY MONUMENT DAMAGED BY THE CONTRACTOR SHALL BE RESET IN ACCORDANCE WITH THE CALIFORNIA PROFESSIONAL LAND SURVEYORS ACT.

GRADING NOTES

1. CONTRACTOR SHALL BE RESPONSIBLE FOR THE SAFETY OF ALL CONSTRUCTION. ADEQUATE SHORING, BRACING, TIES, AND SUPPORTS SHALL BE USED TO PROVIDE PROPER TEMPORARY INTEGRITY DURING ALL PHASES OF CONSTRUCTION.
2. ALL EXISTING LANDSCAPED AND UNPAVED AREAS WHICH ARE DISTURBED BY CONSTRUCTION OR EARTHWORK OPERATIONS SHALL BE RETURNED TO ORIGINAL EXISTING CONDITIONS.
3. ALL DITCHES, SWALES, GUTTERS, ETC. SHOULD BE CONSIDERED ACTIVE STORM CONVEYANCES UNLESS OTHERWISE INDICATED. CONTRACTOR IS RESPONSIBLE FOR ADDRESSING STORM WATER DRAINAGE AND DEWATERING OF WORK AREAS DURING CONSTRUCTION.
4. DURING WET WEATHER PERIODS, CONTRACTOR IS RESPONSIBLE FOR SEQUENCING CONSTRUCTION IN A MANNER TO MINIMIZE IMPACT ON OPEN EARTHWORK AND COMPACTION OPERATIONS.

UTILITY NOTES

1. LOCATIONS OF EXISTING UTILITIES AND STRUCTURES ARE FROM THE BEST INFORMATION AVAILABLE. EXACT LOCATION AND COMPLETENESS ARE NOT GUARANTEED. CONTRACTOR SHALL NOTIFY UNDERGROUND SERVICE ALERT (800) 227-2600 A MINIMUM OF 48 HOURS PRIOR TO ANY EXCAVATION AND POTHOLE FOR EXACT LOCATION. NOTIFY THE ENGINEER IMMEDIATELY IF LOCATE INDICATES THAT EXISTING UTILITIES ARE DIFFERENT THAN SHOWN ON DRAWINGS.
2. LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE PLOTTED FROM RECORD INTERPOLATION OF PHYSICAL EVIDENCE ON THE SITE AND ARE SUBJECT TO FIELD VERIFICATION BY THE CONTRACTOR.
3. ALL LOCATIONS FOR WORK SHALL BE CHECKED AND COORDINATED WITH EXISTING CONDITIONS IN THE FIELD BEFORE BEGINNING CONSTRUCTION UNDER THIS SECTION OR ANY OTHER SECTION.
4. CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGE TO UTILITIES, FIXTURES, AND STRUCTURES LOCATED ON THE SITE. LOCATE, PROTECT, AND AVOID DISRUPTION OF ALL ABOVE AND BELOW GRADE UTILITIES DURING CONSTRUCTION.
5. CONSTRUCTION ACTIVITY WILL TAKE PLACE IN THE VICINITY OF UNDERGROUND ELECTRIC TRANSMISSION LINES. IT IS THE CONTRACTOR'S RESPONSIBILITY TO BE AWARE OF, AND OBSERVE, THE MINIMUM CLEARANCES FOR WORKERS AND EQUIPMENT OPERATING NEAR HIGH VOLTAGE ELECTRIC LINES AS SET OUT IN THE HIGH VOLTAGE SAFETY ORDERS OF THE CALIFORNIA DIVISION OF INDUSTRIAL SAFETY AS WELL AS OTHER APPLICABLE SAFETY REGULATIONS.

TRAFFIC CONTROL

1. TEMPORARY LANE CLOSURE TRAFFIC CONTROL TO BE CONSISTENT W/ LANE CLOSURE FOR LOW VOLUME, TWO-LANE ROADS PER CALTRANS MANUAL OF TRAFFIC CONTROLS - CURRENT EDITION.
2. CONTRACTOR TO COORDINATE TRAFFIC CONTROL WITH THE OWNER AND PROVIDE 48 HOURS NOTIFICATION PRIOR TO LANE CLOSURE.
3. CONTRACTOR SHALL PROVIDE TEMPORARY PEDESTRIAN ACCESS DURING CONSTRUCTION AND SHALL COMPLY WITH SECTION 7-1.08 AND 7-1.09 OF THE CALTRANS STANDARD SPECIFICATIONS.
4. MAINTAIN ACCESS TO ADJACENT RESIDENCES AS MUCH AS PRACTICAL.
5. CONTRACTOR SHALL PROVIDE AND MAINTAIN SUFFICIENT TEMPORARY BARRIERS TO PROVIDE FOR THE SAFETY OF THE STAFF AND PUBLIC TO THE SATISFACTION OF THE ENGINEER.
6. PROVIDE EMERGENCY VEHICLE INGRESS/EGRESS ACCESS AS NEEDED AT ALL TIMES.

ABBREVIATIONS

AB	AGGREGATE BASE	FG	FINISH GRADE	PP	POWER POLE
AC	ASPHALT CONCRETE	FIN	FINISH	PT	POINT OF TANGENT
AGG	AGGREGATE	FL, F_L	FLOW LINE	PT	PRESSURE TREATED
@	AT	FS	FINISHED SURFACE	R, RAD	RADIUS
BC	BEGIN CURVE	FT	FOOT OR FEET	RC	RELATIVE COMPACTION
BCR	BEGIN CURVE RADIUS	FTG	FOOTING	RCP	REINFORCED CONCRETE PIPE
BFP	BACKFLOW PREVENTER	G	GUTTER OR GAS	RD	ROAD
BM	BENCH MARK	GALV	GALVANIZED	REQ'D	REQUIRED
BO	BLOW OFF	GR	GRADE	REQT	REQUIREMENT
BOT	BOTTOM	GB	GRADE BREAK	R/W	RIGHT OF WAY
BVC	BEGIN VERTICAL CURVE	GRD	GROUND	RSP	ROCK SLOPE PROTECTION
CB	CATCH BASIN	HDPE	HIGH-DENSITY POLYETHYLENE	RT	RIGHT
CBC	CALIFORNIA BUILDING CODE	HORIZ	HORIZONTAL	RWL	RAIN WATER LEADER
CL, C_L	CENTERLINE	HWY	HIGHWAY	ROW	RIGHT-OF-WAY
CLR	CLEAR, CLEARANCE	IP	IRON PIPE	S	SLOPE OR SOUTH
CMP	CORRUGATED METAL PIPE	INV	INVERT	SCH, SCHED	SCHEDULE
CO	CLEANOUT	JCT	JUNCTION	SD	STORM DRAIN
CONC	CONCRETE	L	LENGTH	SDCB	STORM DRAIN CATCH BASIN
CONT	CONTINUOUS	LP	LOW POINT	SE	SOUTH-EAST
CONT'D	CONTINUED	LT	LEFT	SHT	SHEET
COORD	COORDINATE	MAX	MAXIMUM	SIM	SIMILAR
COR	CONTRACTING OFFICER'S REPRESENTATIVE	MH	MANHOLE	SS	SANITARY SEWER
COR	CORNER	MIN	MINIMUM	S-STL	STAINLESS STEEL
CPP	CORRUGATED PLASTIC PIPE	MISC	MISCELLANEOUS	STA	STATION
CY	CUBIC	MON	MONUMENT	STD	STANDARD
D	DEPTH	(N)	NEW	STL	STEEL
DIA, Ø	DIAMETER	N	NORTH	SW	SOUTH-WEST
DTL	DETAIL	NE	NORTH-EAST	TBM	TEMPORARY BENCH MARK
DI	DRAINAGE INLET	NIC	NOT IN CONTRACT	TC	TOP OF CURB
DWG	DRAWING	NO	NUMBER	THK	THICK
E	EAST	NTS	NOT TO SCALE	TG	TOP GRATE
EA	EACH	NW	NORTH-WEST	TS	TOP OF SLAB
EC	END CURVE	OC	ON CENTERS	TW	TOP OF WALL
EF	EACH FACE	OPNG	OPENING	TYP	TYPICAL
EL, ELEV	ELEVATION	PC	POINT OF CURVATURE	UNO	UNLESS NOTED OTHERWISE
ENGR	ENGINEER	PCC	PORTLAND CEMENT CONCRETE	VERT	VERTICAL
EP	EDGE PAVING	PE	POLYETHYLENE	W/	WITH
EQ	EQUAL	PI	POINT OF INTERSECTION	W	WIDE, WIDTH OR WEST
ER	EDGE ROAD	PL	PLATE	WTR	WATER
ET	EMERGENCY TELEPHONE	PL, P_L	PROPERTY LINE	XING	CROSSING
EVC	END VERTICAL CURVE	PLCS	PLACES	YD	YARD
EW	EACH WAY	PLWD	PLYWOOD		
EX, (E)	EXISTING	POC	POINT OF CONNECTION		

NOTE: CONTACT ENGINEER FOR ABBREVIATIONS NOT LISTED.

CIVIL SYMBOLS

GENERAL:

- DETAIL OR SECTION DESIGNATION
- SHEET WHERE DETAIL OR SECTION OCCURS

TOPOGRAPHIC:

- TEMPORARY BENCH MARK
- FOUND MONUMENT
- MINOR CONTOUR LINE
- MAJOR CONTOUR LINE
- (E) EDGE OF PAVEMENT
- (N) EDGE OF PAVEMENT
- (E) CONC SLAB OR SIDEWALK
- (E) DRIVEWAY
- (E) FENCE
- (E) PROPERTY LINE / RIGHT OF WAY
- (E) EDGE OF GRAVEL ROAD
- APPROXIMATE LIMITS OF CONSTRUCTION
- DRAINAGE FLOW DIRECTION
- (E) TREE

UTILITIES:

- (E) SIGN
- (E) OVERHEAD ELECTRICAL
- (E) UNDERGROUND ELECTRICAL
- (E) UNDERGROUND TELEPHONE
- (E) UNDERGROUND TELECOMMUNICATIONS
- (E) UNDERGROUND FIBER OPTIC
- (E) DOMESTIC WATER
- (E) STORM DRAIN / CULVERT
- (N) STORM DRAIN / CULVERT
- (N) STORM DRAIN INLET
- (N) STORM DRAIN CLEANOUT
- (N) STORM DRAIN MANHOLE
- (E) GROUNDWATER MONITORING WELL
- (E) FIRE HYDRANT
- (E) WATER VALVE
- (E) WATER METER BOX
- RELOCATED WATER METER BOX

MATERIALS:

- CONCRETE
- (N) ASPHALT CONCRETE PAVEMENT
- AGGREGATE BASE OR DRAIN ROCK AS NOTED
- SOIL OR BACKFILL AS NOTED

NOTE: CONTACT ENGINEER FOR SYMBOLS NOT SHOWN.

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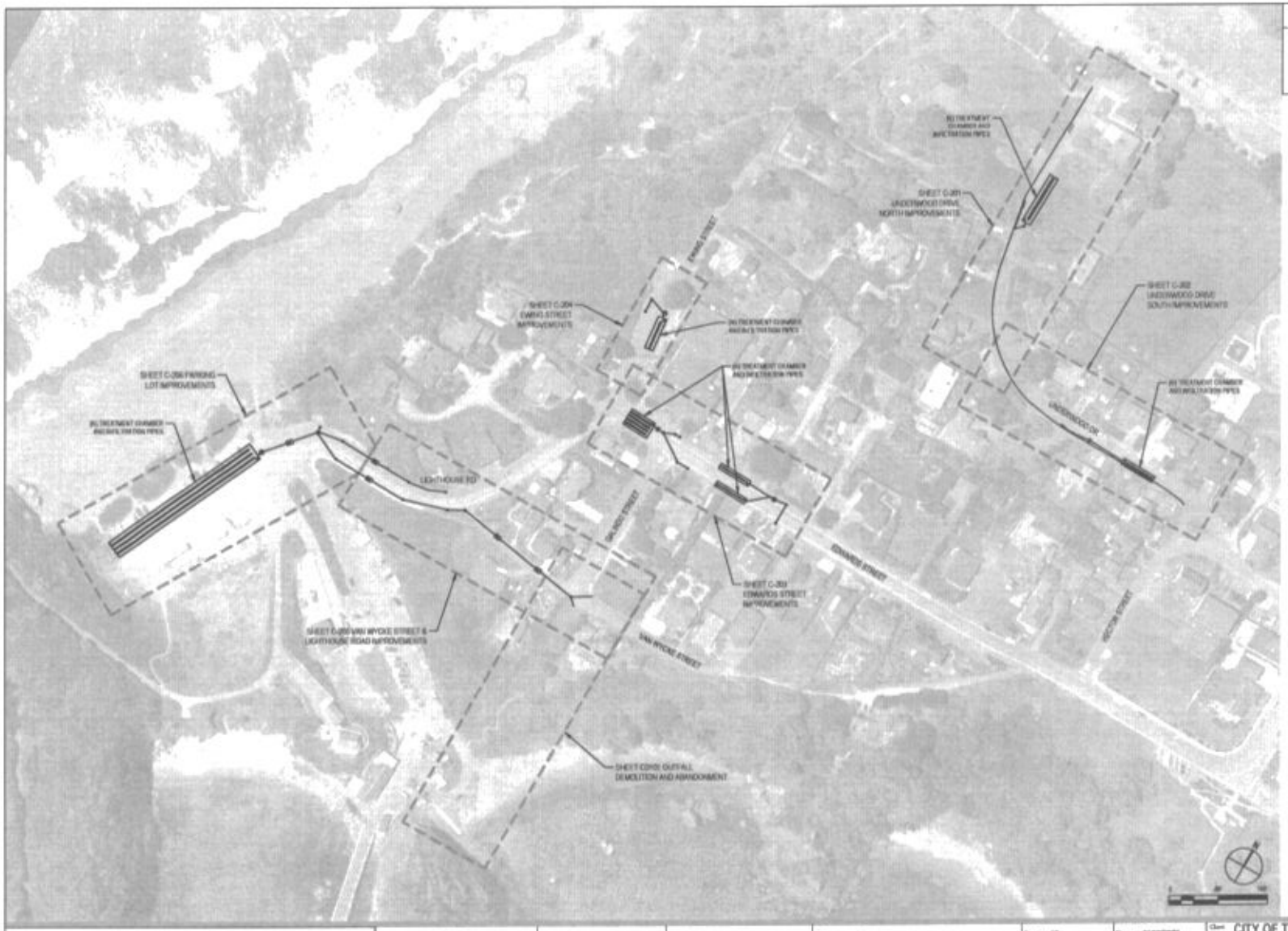
Client: CITY OF TRINIDAD
Project: STORM WATER MANAGEMENT IMPROVEMENT PROJECT
Title: GENERAL NOTES, SYMBOLS & ABBREVIATIONS

Project No. 11188180
Original Size: ANSI D
Sheet No. G-002
Sheet 2 of 15

Scale: AS SHOWN



SHEET GENERAL NOTES

1. LOCATION OF EXISTING UTILITIES AND STRUCTURES ARE FROM INFORMATION AVAILABLE. EXACT LOCATION AND COMPLETENESS ARE NOT GUARANTEED. CONTRACTOR RESPONSIBLE FOR EXACT LOCATION. CONTRACTOR SHALL NOTIFY UNDERGROUND SERVICES ALERT (USA) 227-2600 A MINIMUM OF 48 HOURS PRIOR TO ANY EXCAVATION.

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Project Manager	SA	Date	
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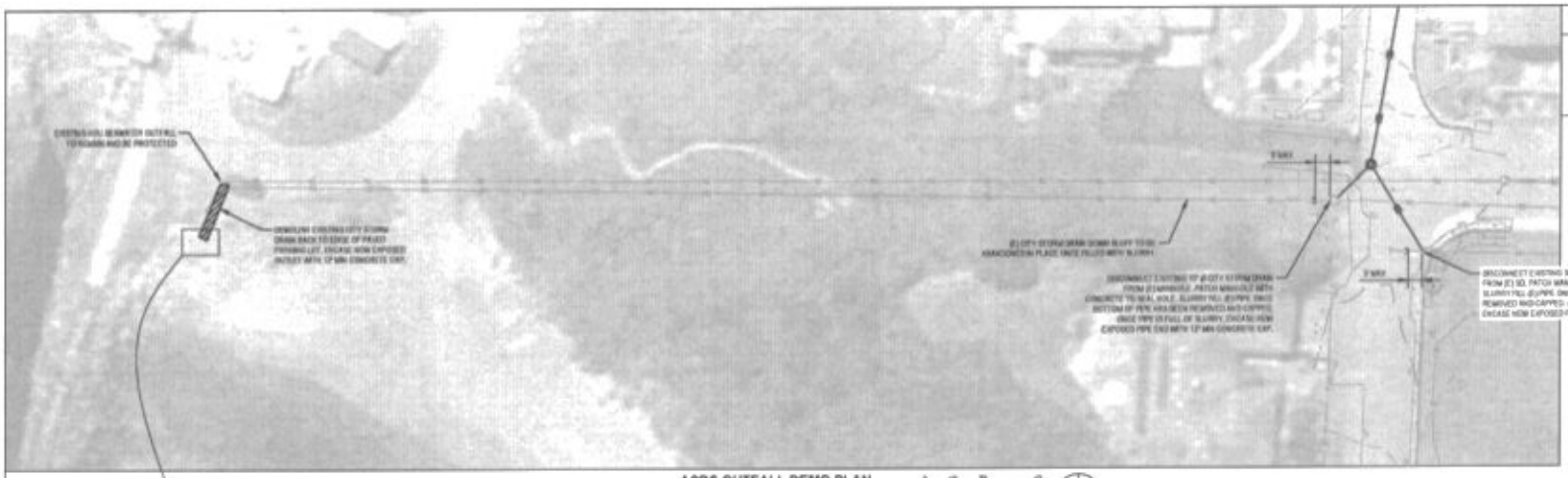
Project: STORM WATER MANAGEMENT IMPROVEMENT PROJECT
Title: SITE PLAN & SURVEY CONTROL

Project No. 11189180
Original Size: ANSI D
Sheet No. G-101
Sheet 3 of 15



ASBS OUTFALL DEMO PLAN

SHEET GENERAL NOTES

1. LOCATION OF EXISTING UTILITIES AND STRUCTURES ARE FROM BEST AVAILABLE EXACT LOCATION AND COMPLETENESS ARE NOT GUARANTEED. CONTRACTOR TO POTHOLE FOR EXACT LOCATION. CONTRACTOR SHALL NOTIFY UNDERGROUND SERVICES ALERT (USA) 811 (800) 227-2600 A minimum OF 48 HOURS PRIOR TO ANY EXCAVATION.

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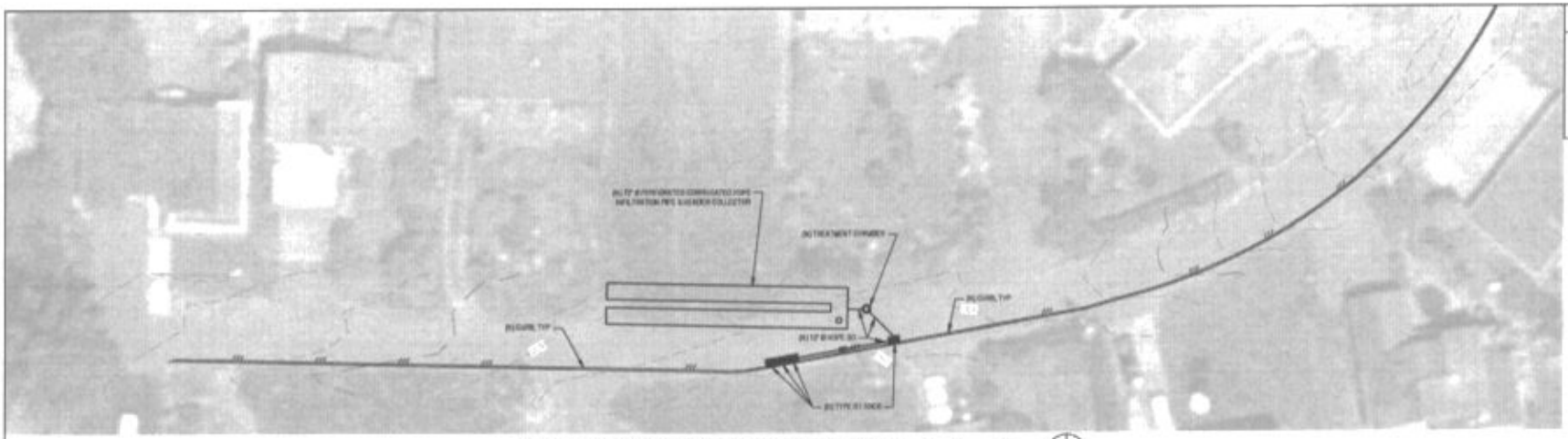
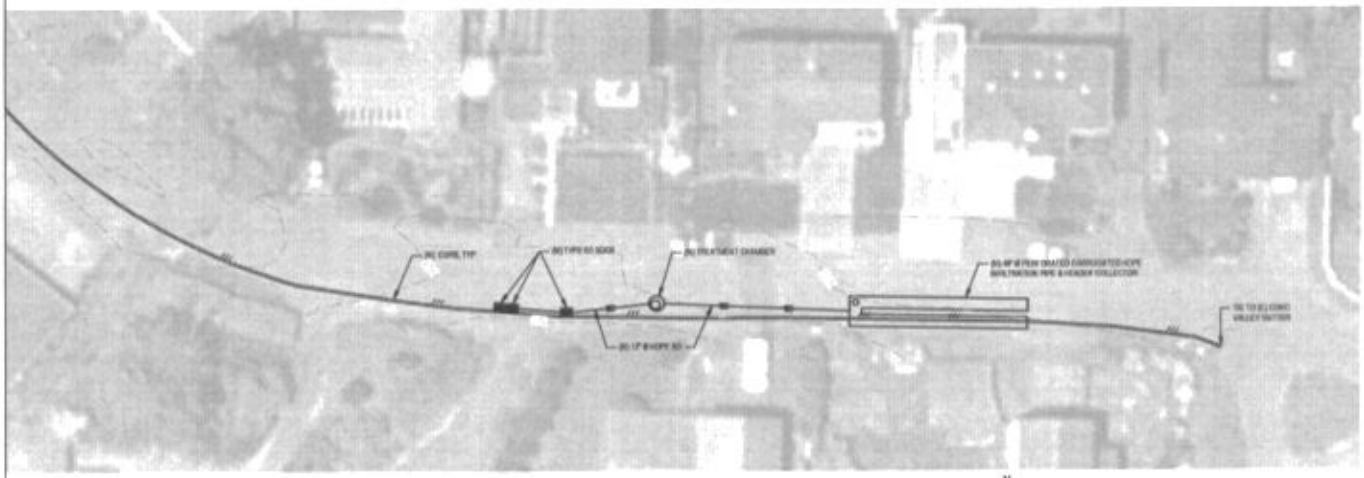
Sheet 4 of 15



NORTH UNDERWOOD DRIVE HORIZONTAL CONTROL PLAN



SOUTH UNDERWOOD DRIVE HORIZONTAL CONTROL PLAN

SHEET GENERAL NOTES

1. LOCATION OF EXISTING UTILITIES AND STRUCTURES ARE FROM INFORMATION AVAILABLE. EXACT LOCATION AND COMPLETENESS ARE NOT GUARANTEED. CONTRACTOR TO POTHOLE FOR EXACT LOCATION. CONTRACTOR SHALL NOTIFY UNDERGROUND SERVICES ALERT (USA) 811 A MINIMUM OF 48 HOURS PRIOR TO ANY EXCAVATION.

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Drafting Check: BA/DS	Design Check: BA/PS	Project: STORM WATER MANAGEMENT IMPROVEMENT PROJECT	
Project Manager: BA	Date:	Title: UNDERWOOD DR - HORIZONTAL CONTROL PLAN	
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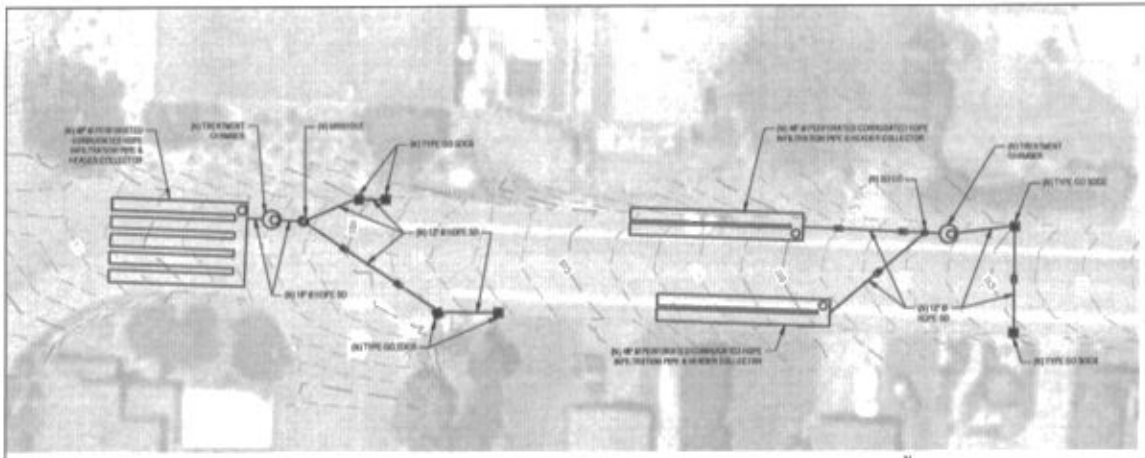
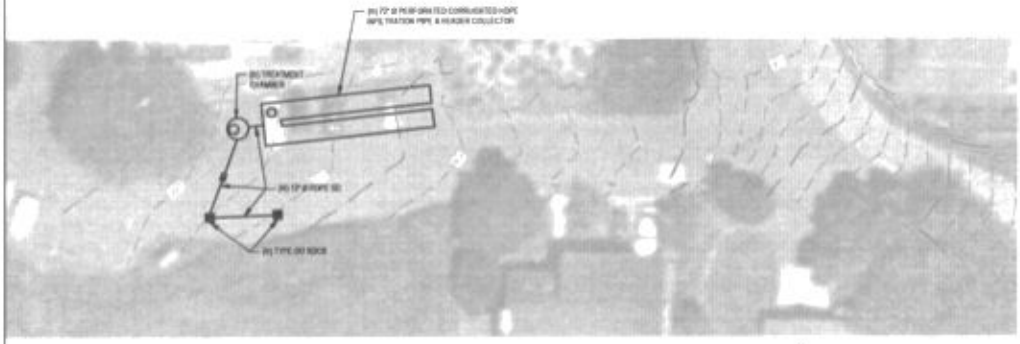
		Original Size: ANSI D	Sheet No.: C-101

SHEET GENERAL NOTES

1. LOCATION OF EXISTING UTILITIES AND STRUCTURES ARE SHOWN FOR INFORMATION PURPOSES ONLY. EXACT LOCATION AND COMPLETENESS ARE NOT GUARANTEED. CONTRACTOR TO POTHOLE FOR EXACT LOCATION. CONTRACTOR SHALL NOTIFY UNDERGROUND SERVICES ALERT (800) 227-2600 A MINIMUM OF 48 HOURS PRIOR TO ANY EXCAVATION.



EDWARDS STREET HORIZONTAL CONTROL PLAN



EWING STREET HORIZONTAL CONTROL PLAN

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Project Manager	SA
Designer	SACP/BBPS
Design Check	BADS
Date	
Scale	AS SHOWN

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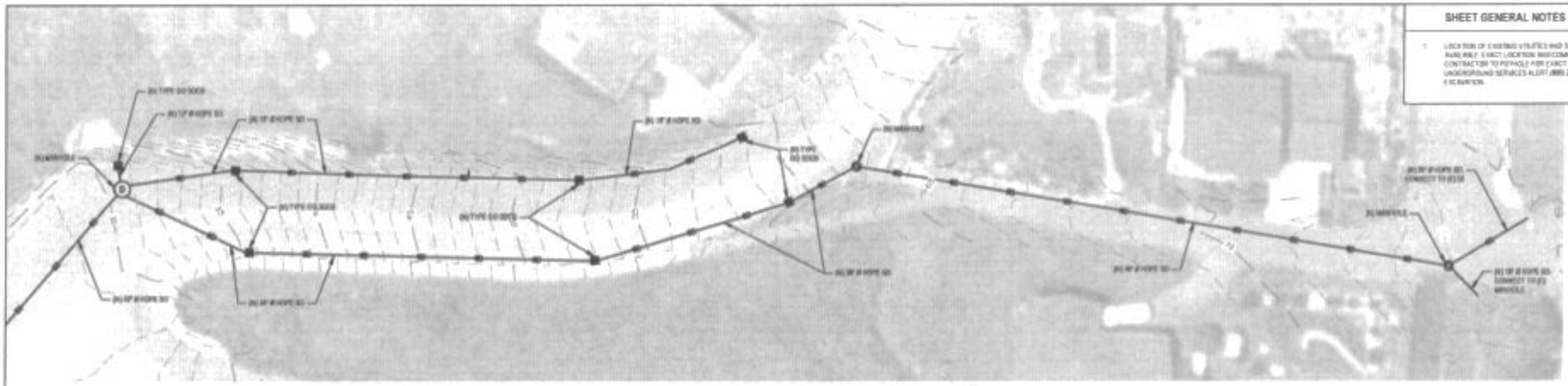
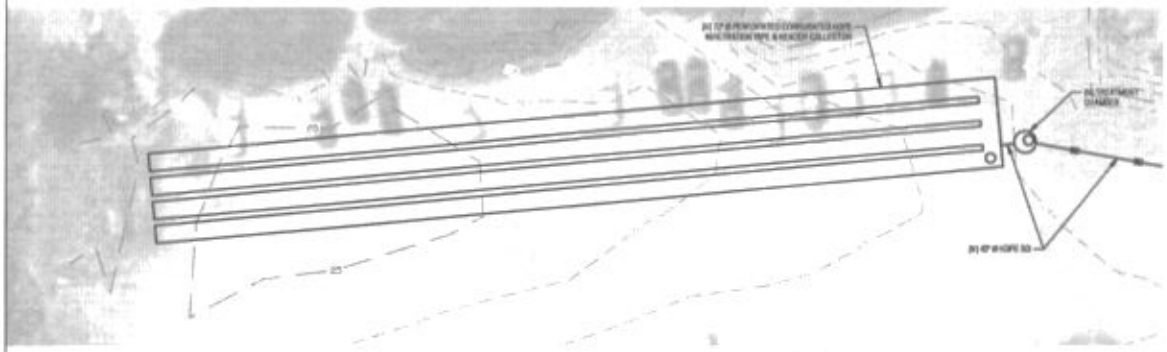
Project: STORM WATER MANAGEMENT IMPROVEMENT PROJECT
Title: EDWARDS ST & EWING ST - HORIZONTAL CONTROL PLAN
Project No.: 11180180
Approved: AMSI D
Sheet No.: C-102
Sheet 8 of 15

SHEET GENERAL NOTES

1. LOCATION OF EXISTING UTILITIES AND STRUCTURES ARE FROM INFORMATION AVAILABLE. EXACT LOCATION AND COMPLETENESS ARE NOT GUARANTEED. CONTRACTOR TO POTHOLE FOR EXACT LOCATION. CONTRACTOR SHALL NOTIFY UNDERGROUND SERVICES ALERT (USA) 811 OR 1-800-227-2600 A MINIMUM OF 48 HOURS PRIOR TO ANY EXCAVATION.



VAN WYCKE ST & LIGHTHOUSE DR HORIZONTAL CONTROL PLAN



PARKING LOT HORIZONTAL CONTROL PLAN

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50% PLANS
NOT FOR CONSTRUCTION

City of Trinidad

GHD Inc.
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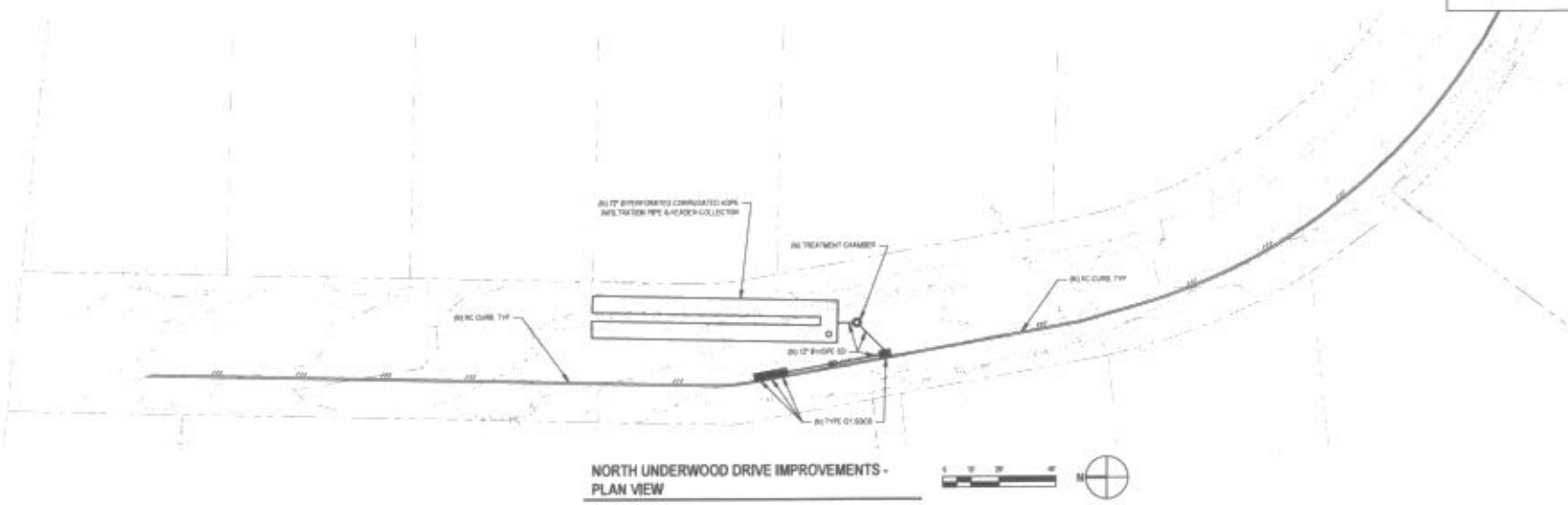
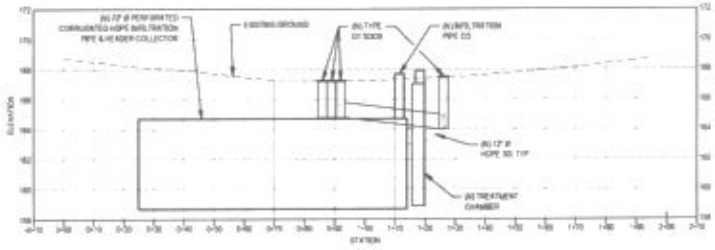
Title: VAN WYCKE ST TO PARKING LOT - HORIZONTAL CONTROL PLAN
Project No. 11188180
Original Size: ANSI D
Drawing No. C-103
Sheet 7 of 15

SHEET GENERAL NOTES

1. LOCATION OF EXISTING UTILITIES AND STRUCTURES ARE FROM INFORMATION AVAILABLE. EXACT LOCATION AND COMPLETENESS ARE NOT GUARANTEED. CONTRACTOR TO POTHOLE FOR EXACT LOCATION. CONTRACTOR SHALL NOTIFY UNDERGROUND SERVICES ALERT (USA) 811 (800) 227-2600 A minimum OF 48 HOURS PRIOR TO ANY EXCAVATION.



NORTH UNDERWOOD DRIVE IMPROVEMENTS - PLAN VIEW



NORTH UNDERWOOD DRIVE IMPROVEMENTS - PROFILE VIEW

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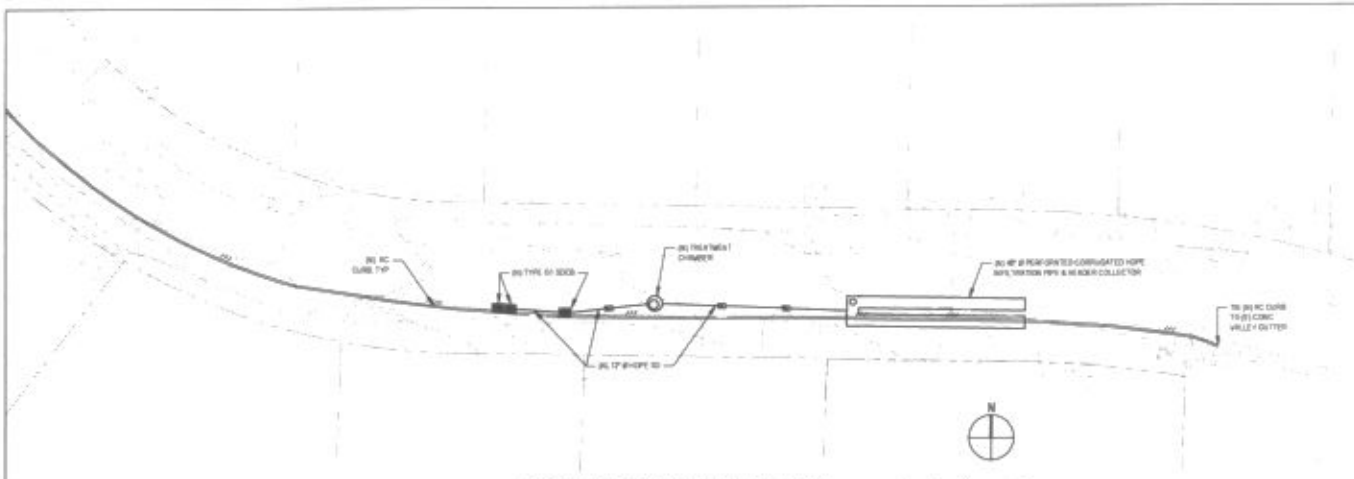
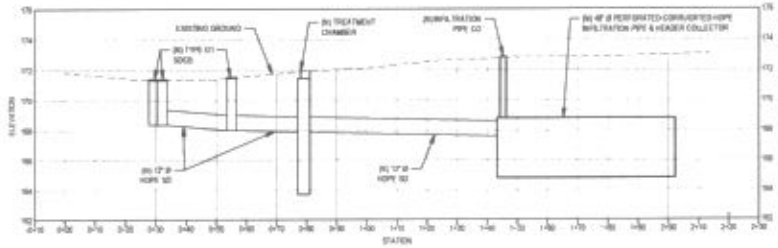


SOUTH UNDERWOOD DRIVE IMPROVEMENTS - PLAN VIEW



SOUTH UNDERWOOD DRIVE IMPROVEMENTS - PROFILE VIEW

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Project Manager: SA	Date:	Title: SOUTH UNDERWOOD DRIVE - PLAN AND PROFILE	
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Sheet 9 of 16

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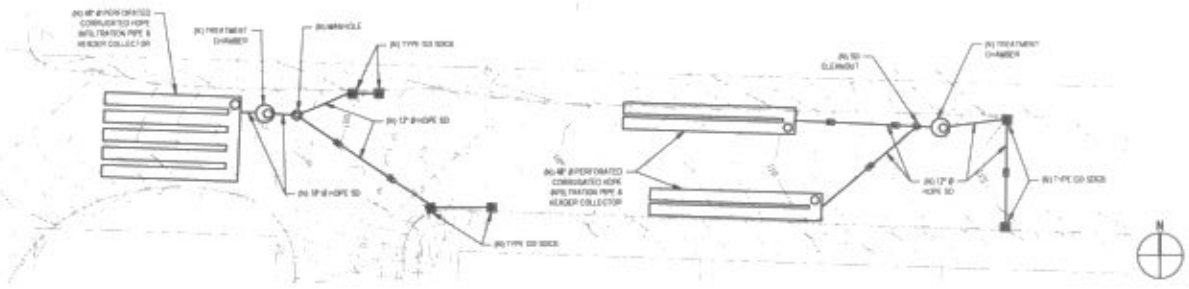
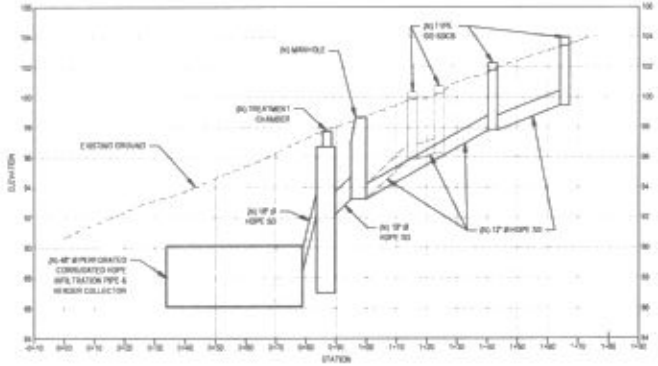


EDWARDS STREET IMPROVEMENTS - PLAN VIEW



WEST EDWARDS STREET IMPROVEMENTS - PROFILE VIEW

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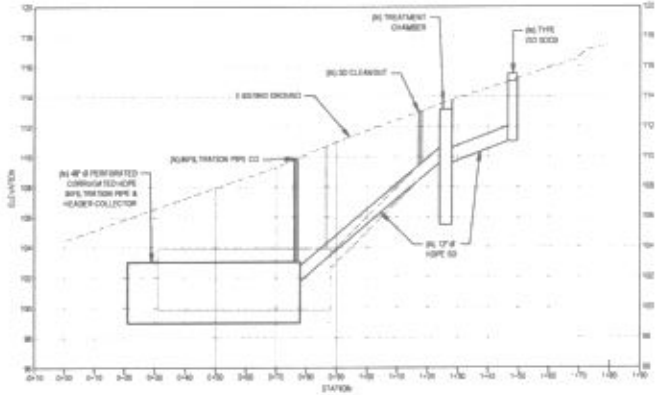

EAST EDWARDS STREET IMPROVEMENTS - PROFILE VIEW

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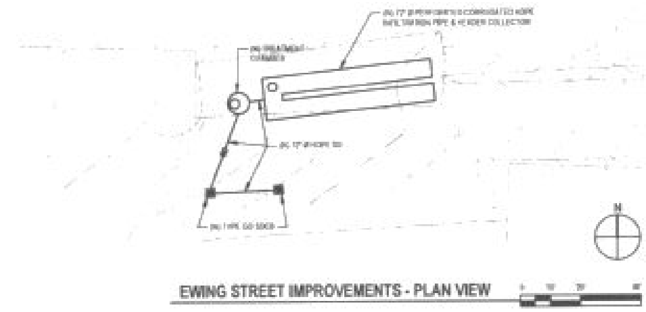
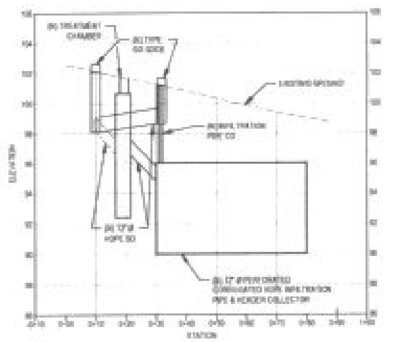


EWING STREET IMPROVEMENTS - PLAN VIEW



EWING STREET IMPROVEMENTS - PROFILE VIEW

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Title: EWING STREET - PLAN AND PROFILE
Project No. 11188180
ANSI D
Sheet No. C-204

SHEET GENERAL NOTES

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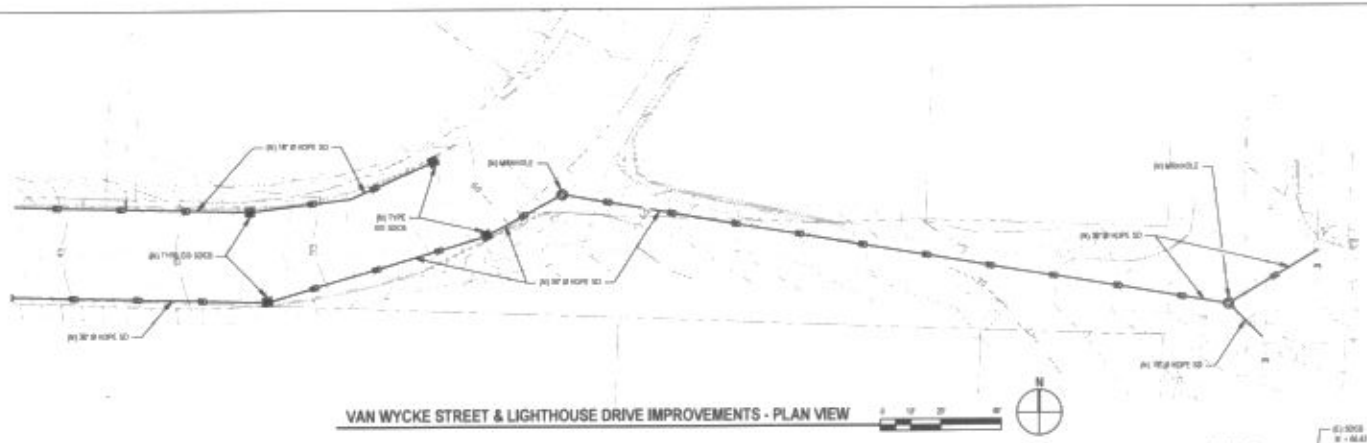
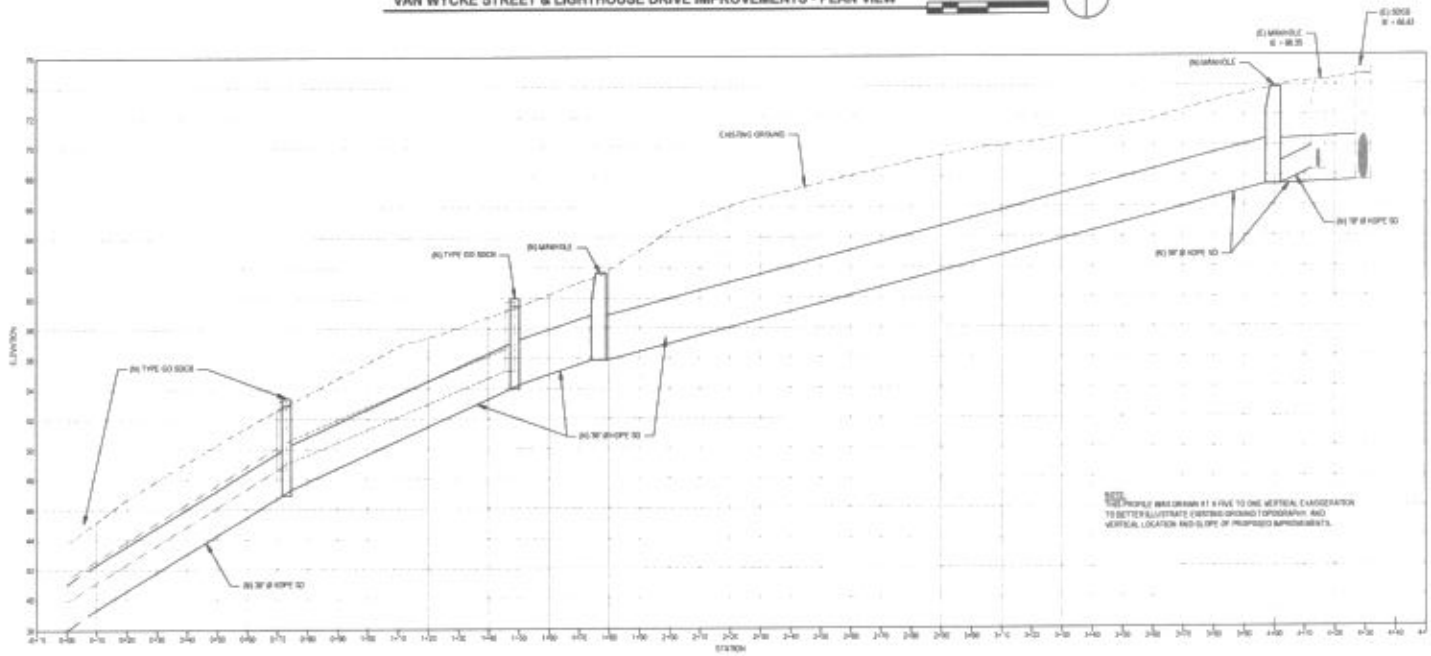


VAN WYCKE STREET & LIGHTHOUSE DRIVE IMPROVEMENTS - PLAN VIEW



VAN WYCKE STREET & LIGHTHOUSE DRIVE IMPROVEMENTS - PROFILE VIEW

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Project No. 111BB186
Original Size: ANSI D
Sheet No. C-205
Sheet 12 of 19

SHEET GENERAL NOTES

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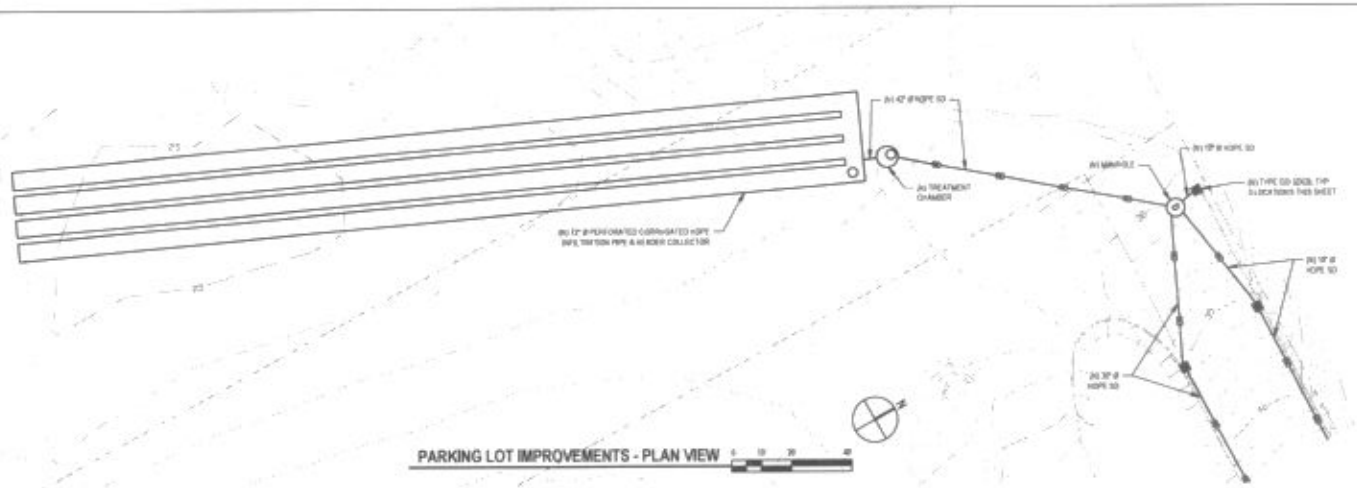
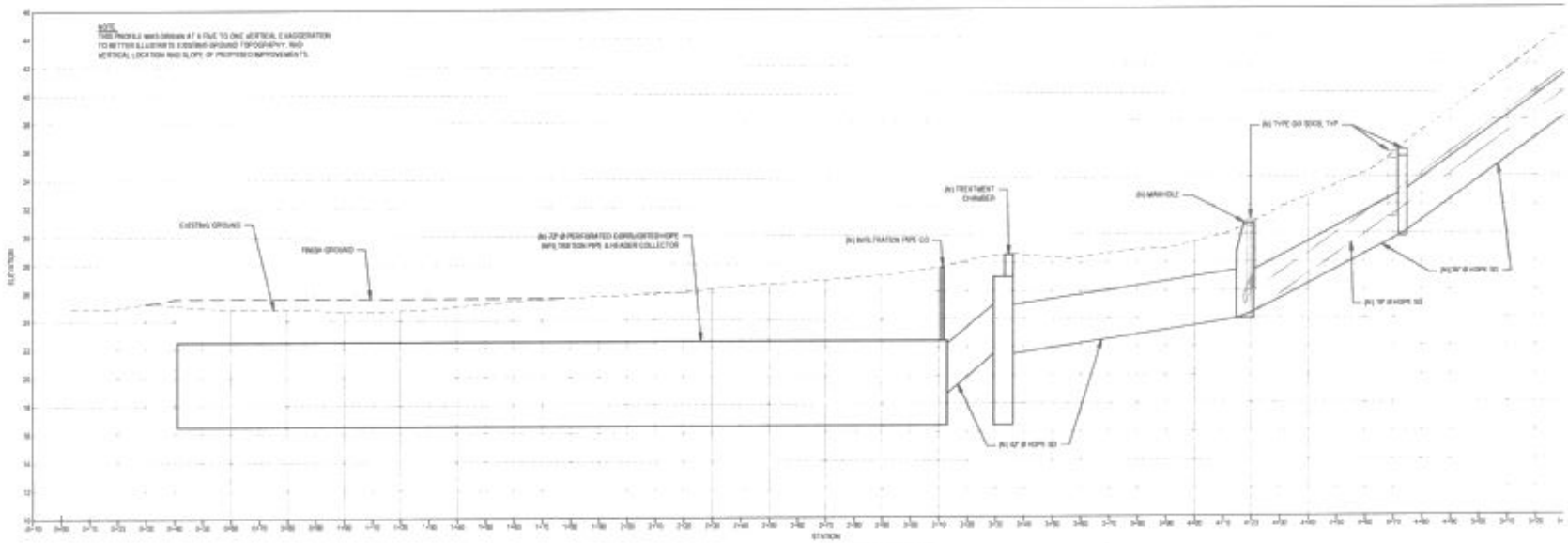


PARKING LOT IMPROVEMENTS - PLAN VIEW



PARKING LOT IMPROVEMENTS - PROFILE VIEW

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	Scale: AS SHOWN	Project No.: 11180180	
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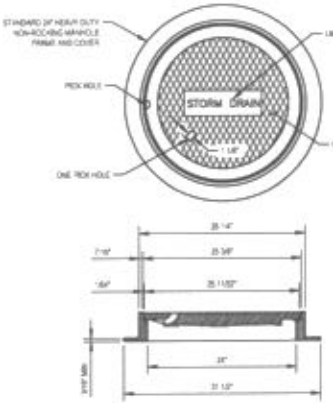
Sheet 12 of 16

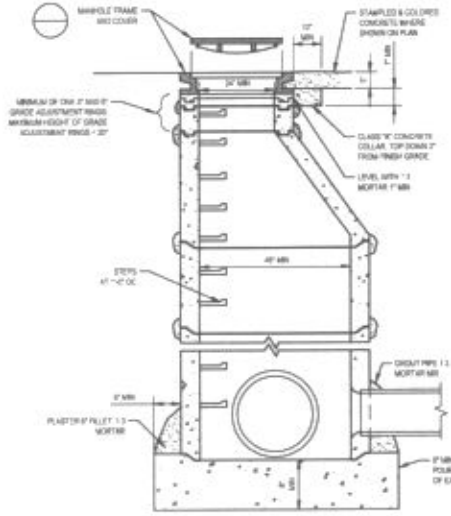


NOTES:

1. ALL CASTING SHALL BE DIPPED IN ASPHALT PAINT.
2. ALL MATERIAL USED IN MANUFACTURING SHALL CONFORM TO ASTM DESIGNATION A-48A-62/800, OR OF UNITED STATES GOVERNMENT SPECIFICATIONS QQ-I-652B.
3. MINIMUM WEIGHT COMPONENTS:
   COVER - 130 POUNDS
   FRAME - 125 POUNDS
4. MANHOLE FRAME AND COVER SHALL BE ADA COMPLIANT.

TYPICAL MANHOLE FRAME & COVER DETAIL

SCALE: NTS

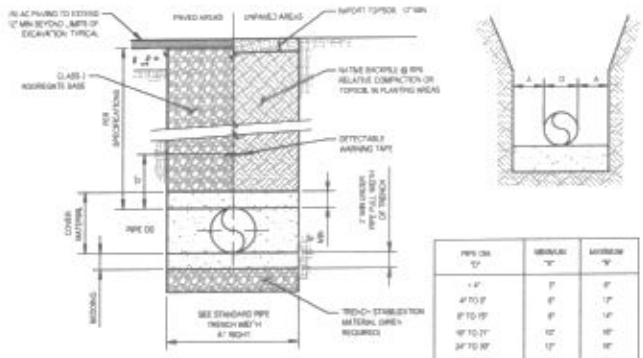


NOTES:

1. BRICKS OR APPROVED EQUAL SHALL BE USED IN JOINTS. PLASTERING OF JOINTS REQUIRED IF HIGH WATER CONDITIONS EXIST.
2. CONE SECTION MAY BE EITHER CONCENTRIC OR ECCENTRIC UNLESS OTHERWISE SPECIFIED BY THE CITY.
3. SET ALL RINGS IN A 1:3 MORTAR BED. WET BOTH TONGUE AND GROOVE BEFORE APPLYING MORTAR AND SETTING RING. WIPE INSIDE OF JOINTS SMOOTH AND PLASTER OUTSIDE OF JOINTS WITH 1/2" LAYER OF MORTAR.
4. ALL SECTIONS OF MANHOLE MUST BE OF IDENTICAL MAKE AND MANUFACTURE.

TYPE I STORM DRAIN MANHOLE DETAIL

SCALE: NTS



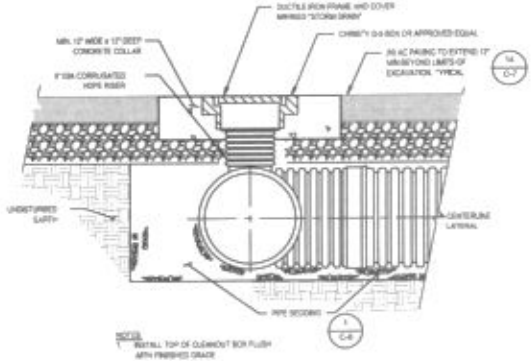
PIPE DIA "D"	MINIMUM "A"	MAXIMUM "A"
< 4"	1'	2'
4" TO 8"	2'	1'-3"
8" TO 15"	2'	1'-4"
18" TO 21"	1'-0"	1'-6"
24" TO 30"	1'-3"	1'-9"
33" TO 42"	1'-6"	2'-1"
48" & LARGER	1'-9"	2'-4"

NOTES:

1. WHERE TRENCHES MAY REQUIRE HIGHER STRENGTH PIPE AND/OR SPECIAL BEDDING.
2. DIFFERING TRENCH WIDTHS REQUIRE PRIOR APPROVAL OF ENGINEER.
3. IN MAKING EXCAVATIONS FOR THIS PROJECT, THE CONTRACTOR SHALL BE FULLY RESPONSIBLE FOR PROVIDING & INSTALLING ADEQUATE SHEETING, SHORING & BRACING AS MAY BE NECESSARY AS A PRECAUTION AGAINST SLIDES OR CAVE-INS, AND TO PROTECT ALL (E) IMPROVEMENTS OF ANY KIND, (ZT-1)R ON PUBLIC OR PRIVATE PROPERTY, FULLY FROM DAMAGE.
4. SATISFACTORY NATIVE BACKFILL MATERIAL USED AS UTILITY TRENCH BACKFILL BELOW UNPAVED AREAS SHALL BE APPROVED BY THE ENGINEER PRIOR TO USE.
5. 3-SACK SLURRY BACKFILL MAY BE USED IN TRENCH WHEN MINIMUM PIPE COVER NOT POSSIBLE. WHEN APPROVED BY CHANGE REPRESENTATIVE.
6. DETECTABLE WARNING TAPE SHALL BE BRIGHT COLORED, CONTINUOUSLY PRINTED MINIMUM 6" WIDE BY 4 MIL. THICK MANUFACTURED FOR DIRECT BURIAL.
7. DETECTABLE WARNING TAPE NOT REQUIRED FOR IRRIGATION LINES.

TYPICAL TRENCH DETAIL

SCALE: NTS



NOTES:

1. INSTALL TOP OF CLEANOUT BOX FLUSH WITH FINISHED GRADE

TYPICAL STORM DRAIN CLEANOUT DETAIL

SCALE: NTS

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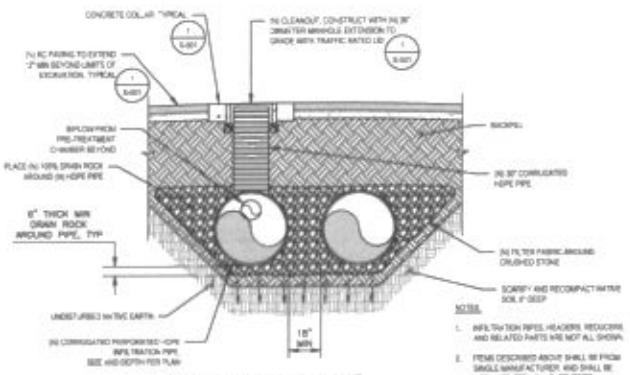
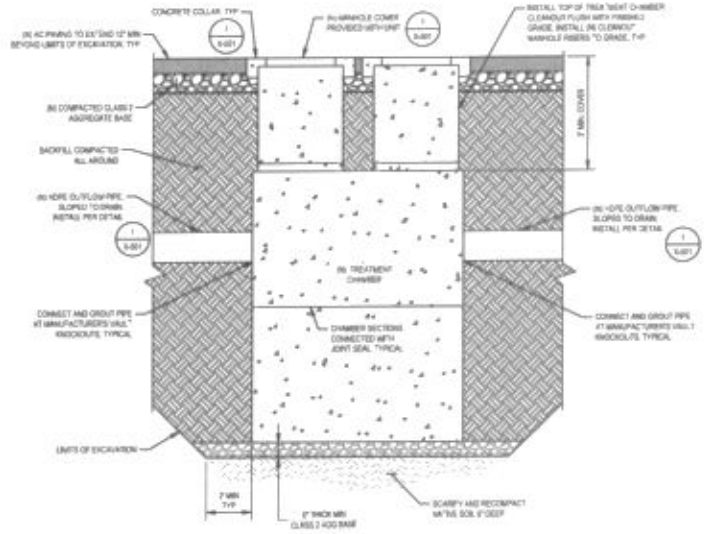
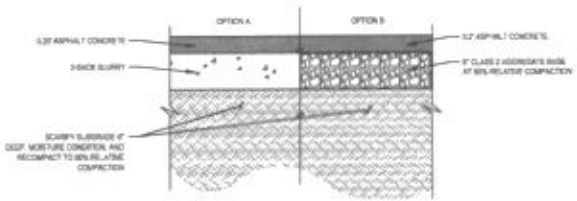
Style: AS SHOWN		Project No.: 11188180	
		Original size: ANSI D	Drawing No.: C-501 Sheet: 14 of 15



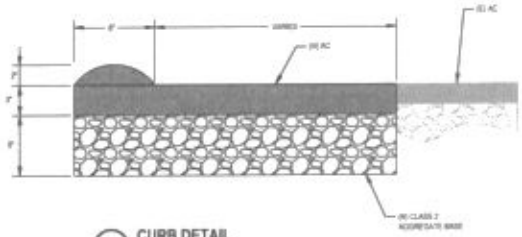
TYPICAL INFILTRATION PIPE INSTALLATION DETAIL
SCALE: NTS



TYPICAL TREATMENT CHAMBER INSTALLATION DETAIL
SCALE: NTS



TYPICAL ASPHALT PATCH PAVING SECTION
SCALE: NTS



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SCALE: NTS

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Sheet 16 of 16

DISCUSSION AGENDA ITEM 3

SUPPORTING DOCUMENTATION FOLLOWS WITH: 43 PAGES

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3. Discussion/Presentation from GHD Regarding Water Reports; 1) Conceptual Hydrological Assessment, 2) Alternative Raw Water Source Evaluation, and 3) Water Demand and Loss Analysis.

AGENDA ITEM REPORT

October 8, 2019

Item: Three Reports from GHD, Trinidad City Engineers

1. Conceptual Hydrological Assessment of the Luffenholtz Creek Watershed
2. Alternative Raw Water Source Evaluation
3. Water Demand and Loss Analysis

Steve Allen of GHD will be present to introduce the reports and answer questions.

Attachments: The above 3 reports are attached.

Recommended Action: Receive and ask questions:

1. Do we have enough information in these three reports to give to the Planning Commission and for the City to move forward on our water policy?

2. Are there unanswered or unaddressed questions within the scope of these three reports?

Memorandum

October 2, 2019

To:	Eli Naffah, City Manager	Ref. No.:	11198797
From:	Steve McHaney, Patrick Sullivan	Tel:	(707) 443-8326
cc:	Becky Price-Hall, Bryan Buckman, Ryan DeSmet		

Subject: **City of Trinidad**

Conceptual Hydrological Assessment of the Luffenholtz Creek Watershed

1. Purpose

The City of Trinidad's (City) water supply is from Luffenholtz Creek, which is subject to limitations based on the terms of the City's water right as it relates to flows in the creek. The flow in the creek varies significantly throughout the year. Multi-year droughts, other extractions from the creek, and long-term climate change can significantly reduce summer flows. It is possible that stream flows could diminish during dry periods to the point that the City's legal right to extract water is curtailed or drops to zero. This is not only a potential issue for considering future water supply requests, but it could affect existing customers as well. Treatment system characteristics also affect the City's ability to produce potable water; and storage and distribution system characteristics affect the City's ability to distribute water.

Potable water is an important resource and the City is in the process of developing policy related to water supply for both existing customers as well as potential future customers. The policy is expected to consider not only potential changes in demand over time, but also potential supply limitations.

The purpose of this memo is to provide a summary of some of the more significant issues associated with the City's extraction of water from Luffenholtz Creek. These insights are intended to help inform development of water policy by the City. It is the future policy that should guide the City in reviewing future water supply requests and guide the City during periods of curtailed supply.

This memo is divided into the following sections:

- Summary of Findings and Recommendations
- Background
- Watershed Characteristics
- Water Rights
- Historical Water Supply in Luffenholtz Creek
- Trinidad's Use of the Existing Water Right
- Future Water Supply in Luffenholtz Creek
- Concepts for Addressing the Extraction Zones

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- Recommendations

2. Summary of Findings and Recommendations

The following highlights the findings from this analysis:

- The City has a water right for a maximum extraction of 0.56 cfs (251 gpm)
- The City typically runs the water plant at about 70 gpm and may push capacity up to about 105 gpm
- The water right includes required bypass flows that must remain in the Creek
- The City recently installed equipment for continuous monitoring of bypass flows
- The flow conditions can be considered as Full Extraction, Curtailed Extraction, and No Extraction based on creek flow
- There is very limited data available for creek flow at the treatment plant and very limited data for extractions of water from the creek up- and downstream from the City extraction
- Based on the very limited data, it is known that the creek flows have been in the Curtailed Extraction Zone during very dry periods
- To date, it appears that limitations in the creek gravels, infiltration gallery, and wet well system have been the limiting factor on extraction rather than a curtailed water right
- Extracting water becomes increasingly more difficult with lower creek flows
- Climate change over the coming decades is expected to change precipitation patterns resulting in more runoff and less percolation as well as higher average temperatures and less fog, which could further reduce dry period flows and may also change demand characteristics.

The following highlights the recommendations from this analysis and the Water Loss Analysis (GHD 2019):

- Maintain continuous monitoring of bypass flows and provide improvements in data management to allow City staff better access to the data
- Further evaluate intake system to better understand limitations and to identify potential system improvements and operational changes to possibly increase intake capacity, especially under low creek flow conditions
- Develop policy for managing shortfalls in water availability (Caused by curtailed water right, practical extraction limitations, treatment limitations, emergencies, etc.)
- Consider potential water demands through 2100.
- Consider alternative long term sources of supply that mitigate the flow and extraction issues with Luffenholtz Creek
- Leak detection and replacement in aging distribution system.

3. Background

Luffenholtz Creek is currently the only source of raw water that serves the City of Trinidad system. The City purveys water to approximately 1,000 people inside and outside City limits. The City's diversion and water plant is located at 1313 Westhaven Dr. Trinidad California adjacent to Luffenholtz Creek. Water for the plant is pumped from a wet well that is filled through an infiltration gallery of perforated pipes located

approximately ten feet below the creek bed. The point of diversion is just upstream of the Westhaven Dr. culvert. The City has current water rights limiting the rate of diversion, the annual maximum diversion, and requiring minimum bypass flows. In addition to water right limitations, the effective water production rates are limited by physical constraints in the processing of the water which include: infiltration gallery limitations, flocculator flow rates, filter fouling rates, backwash periods, and chlorine contact time requirements. In addition, the City has a relatively small amount of finished water storage that could supply typical uses for only a few days and is insufficient for bridging long term supply limitations. The treatment system capacity was addressed previously under a separate memo. The focus of this memo is on the watershed itself, which begins with a general understanding of watershed characteristics.

4. Watershed Characteristics

The Luffenholtz Creek watershed is located south of the City of Trinidad, and has a drainage area above the City's diversion of approximately 2,880 acres and ranges in elevation from 225 to 1,370 feet (USGS 2019). Mean annual precipitation in the Luffenholtz Creek watershed is 60.8 inches (USGS 2019). Precipitation runs off to the ocean via Luffenholtz Creek or percolates into the ground. Water that percolates into the ground can later emerge into Luffenholtz Creek to sustain flows during the dry season. Soil types are predominantly silty to sandy clay loams derived from marine terrace sediments overlying Franciscan bedrock. Hydraulic conductivity is highly variable and ranges from approximately 1 to 20 meters/day in the marine terrace sediments to essentially zero in the underlying Franciscan bedrock materials. The higher porosity intervals of the marine terraces transmit the majority of the groundwater in the watershed. Groundwater elevations are variable and seasonal, however in the lower portions of the watershed groundwater is generally shallow and ranges from the ground surface to approximately 20 feet below the ground surface (bgs). The upland portions of the watershed have groundwater elevations ranging from approximately 20 to 100 feet bgs, depending on factors such as distance from the creek and the season.

Groundwater percolation is especially important for meeting water demands during low flow periods as it is the groundwater that feeds the stream during dry weather. Percolation and recharge of groundwater depends on many factors associated with the soils and geology as well as the frequency and intensity of storm events. Changes in precipitation patterns, even when the annual total remains the same, can significantly affect groundwater recharge and hence dry season creek flows.

5. Water Rights

California Water Law addresses a number of types of water use. People do not own water, but rather have certain rights to use water for reasonable beneficial purposes. Water use is regulated by the California Water Board. Of most relevance in this analysis of the Luffenholtz Creek watershed is the concept of Riparian and Appropriative water rights for surface water.

A riparian right exists on land that touches a water source and does not generally require an application to receive the benefits of the riparian right. Riparian rights usually come with owning a parcel of land that is adjacent to a source of water, and the rights generally remain with the parcel when it changes hands. Water obtained through a riparian right must be used on the property connected to the riparian right.

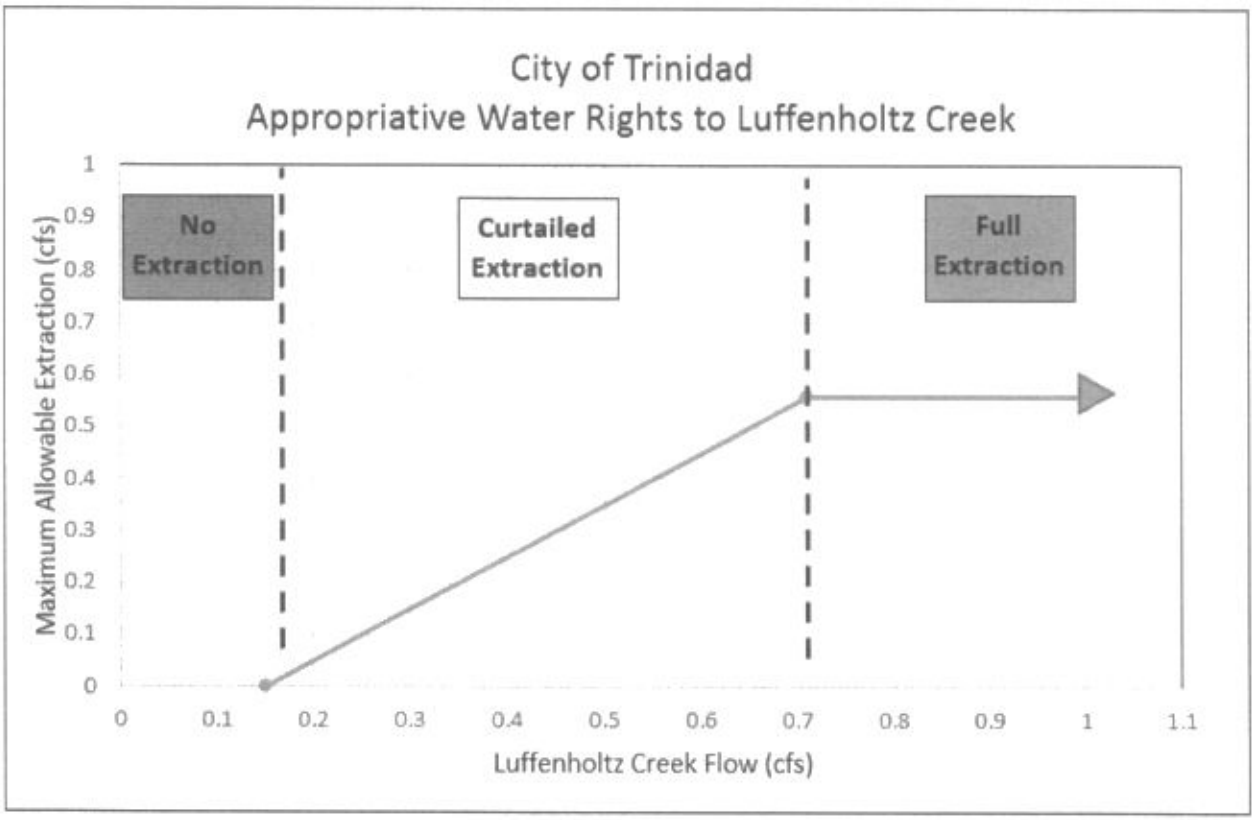
Riparian rights are not lost by non-use, but rather typically remain with the property adjacent to the water source. An unused riparian right is said to be "dormant" and use can be restarted at any time. All riparian right holders on a surface water source have the same priority. If there is not enough water available for the demands of all riparian users, then all users must share the available supply according to their needs. Generally, water used for interior domestic purposes, such as drinking, cooking and bathing, has the highest priority.

When water is to be extracted from a stream for use on non-riparian land then an appropriative right is required. Water right permits and licenses are issued by the State Water Board. There is an order of priority of appropriative rights based on the initial date of the water right. For example, an upstream junior water right holder must allow water to bypass to a downstream senior right holder.

The State Water Board in an effort to better understand water use throughout the state and provide information for water management by watershed has a system for reporting water use for all types of right holders. In some cases, the data gathered on water use, plus data from other sources can indicate to the State Water Board that there is a shortage of water in the basin and that all water rights cannot be fulfilled. The State Water Board can curtail water use of senior water right holders in critically affected basins, which was done during the drought of the late 1970's as well as during the most recent multi-year drought. These water right curtailments did not affect the Luffenholtz watershed, however the State could curtail the water rights on Luffenholtz Creek if deemed necessary.

A review of the State Water Board database for Luffenholtz Creek indicates there are at least three other appropriative rights holders and at least 14 other riparian parcels that submitted a Statement of Diversion and Use. The information in the database is incomplete as it depends on right holders to self-report, plus the program is relatively new and it is possible that not all water users are reporting or are not reporting accurately or completely. As time goes on, the State Water Board may be able to improve the amount and quality of data available in the database, which will help with watershed planning.

The City of Trinidad has two appropriative rights for a maximum extraction of 0.56 cubic feet per second (cfs) (251 gallons per minute) from Luffenholtz Creek through appropriative water rights permit numbers 15984 and 17255. Theoretically, the City has the right to extract up to a daily maximum of 361,440 gallons if the City extracted water 24 hours per day. The City is also subject to a bypass requirement as there is one senior downstream appropriative right and there is an expectation that a certain minimum amount of water is left in the creek. The City's water right stipulates that the City shall bypass 0.25 cfs (112 gpm) except when the natural flow in Luffenholtz Creek is lower than 0.86 cfs (386 gpm) and then the City must leave at least 0.15 cfs (67 gpm) in the creek. From a practical standpoint, this means that the City can generally extract up to 0.56 cfs (251 gpm) until the upstream flow drops to 0.71 cfs which is equivalent to 318 gpm (0.56 cfs plus 0.15 cfs) and then the amount the City can extract decreases as flows decrease. If the creek drops to 0.15 cfs (67 gpm) or less, the City may not extract any water. The City's water right can be considered to have the three Zones of Full Extraction, Curtailed Extraction, and No Extraction as highlighted in the following figure.



6. Historical Water Supply in Luffenholtz Creek

The water supply in the watershed that feeds Luffenholtz Creek varies throughout the year based on weather patterns, extractions, soils and geologic characteristics, surface and groundwater, characteristics, and other factors. As is typical in the region, winter rains increase the flow in Luffenholtz Creek as directly related to individual storm events and over time as related to seasonal accumulation of precipitation in the region.

The peak flow events and seasonal high flow patterns supply ample water for many uses in the watershed. It is the low flow summer period, however, that is of most interest from a water supply standpoint for that is when water supply could become scarce and the City could see flows drop to a level where the City's allowable extraction could be curtailed. The City has been operating the water treatment plant under this summer low flow condition for decades and has adapted operations to allow for continued extractions and treatment of water to meet system demands (see previous memo on the current capacity of the water treatment plant). During the decades of operation, creek flows have been observed predominately qualitatively, although a number of periodic flow measurements have been taken over the years.

In 2001 a Water Supply Feasibility Study was completed for the City of Trinidad, and Technical Memorandum No. 8, Surface Water Technical Feasibility, highlighted a number of factors relating to water supply in Luffenholtz Creek. A summary of water supply characteristics are presented in this memo and the 2001 Technical Memorandum should be referenced for additional details.

Several previous studies have estimated the critical low flow in Luffenholtz Creek. A 1968 water supply feasibility study for the relocation of the Trinidad Water Plant from Mill Creek to Luffenholtz Creek by Winzler & Kelly, forecasted critical low flow in the Creek with a recurrence interval of 100 years. This value was estimated at 290 gallons per minute (0.646 cfs), which is 417,629 gpd based on comparisons with Little River, which had a longer historical data set to work with. However, the use of Little River data is not necessarily representative of the Lufenholtz Creek critical low flows. The two watersheds vary in several key watershed components. The most obvious difference is size. The Little River watershed is 40.5 square miles, approximately 8.5 times larger than the Luffenholtz Creek watershed. This difference is important because it is likely that the Little River watershed maintains a greater amount of water in storage during periods of low flow. Thus, Little River data may over predict the low flow in Luffenholtz Creek. Additionally, the USGS gauge on Little River is located at a much lower elevation within the watershed than the Trinidad Water Plant's point of diversion. At lower elevations within the watershed the stream will be supplied with higher rates of base flow (groundwater) during summer months, will tend to have lower velocities, and the channel will widen out more like an estuary resulting in less dramatic high and low flows. In the higher elevations, such as are the characteristics of the Trinidad water extraction location, the drainage area tends to be steeper and the streams travel at a higher velocity and typically in a narrower channel with more dramatic flow variations.

A 1980 Trinidad Citizen's Report estimated the critical low flow in the Creek at 300 gpm (0.67 cfs), which is 432,030 gpd, based on 80 years of precipitation data in Eureka and Luffenholtz Creek low flow measurements in 1968 and 1977. The 1980 Citizen's Report also stated the lowest recorded flow in Luffenholtz Creek in the 1977 drought was 310 gpm (0.71 cfs). The frequency or method of the collection of these flow data is not known.

The Arcata Union newspaper ran an article about the 1977 drought in its September 8, 1977 issue. The Trinidad Public Works Director at that time, Tom Nelson, told the paper he measured the flow in Luffenholtz Creek at 284 gpm (0.632 cfs). According to the article, the City had predicted that Luffenholtz Creek would stop flowing by the end of August, but that long periods of foggy weather and small amounts of rain were keeping the creek flowing. No record of the creek going dry at this time have been found. This article highlights the potential low flow conditions the City of Trinidad may confront in the future during drought conditions, which could be further exacerbated by climate change and other extractions from the watershed.

A previous search of the Department of Fish & Game files produced three stream surveys for Luffenholtz Creek. They were taken in November 1971, November 1975, and February 1982. These measurements were not taken during the driest part of the year and so they are not expected to represent the lowest flow periods. The lowest flow recorded in any of these surveys is 583 gpm (1.30 cfs), however this measurement was made in the upper portion of the watershed and may not represent flows at the treatment plant. The next lowest flow was 3,142 gpm (7.00 cfs) near the water plant. The methods used by DFG to measure flows are unknown and the time period of the measurements was not the driest time of the year and so these measurements do not provide further insights into the potential critical low flow.

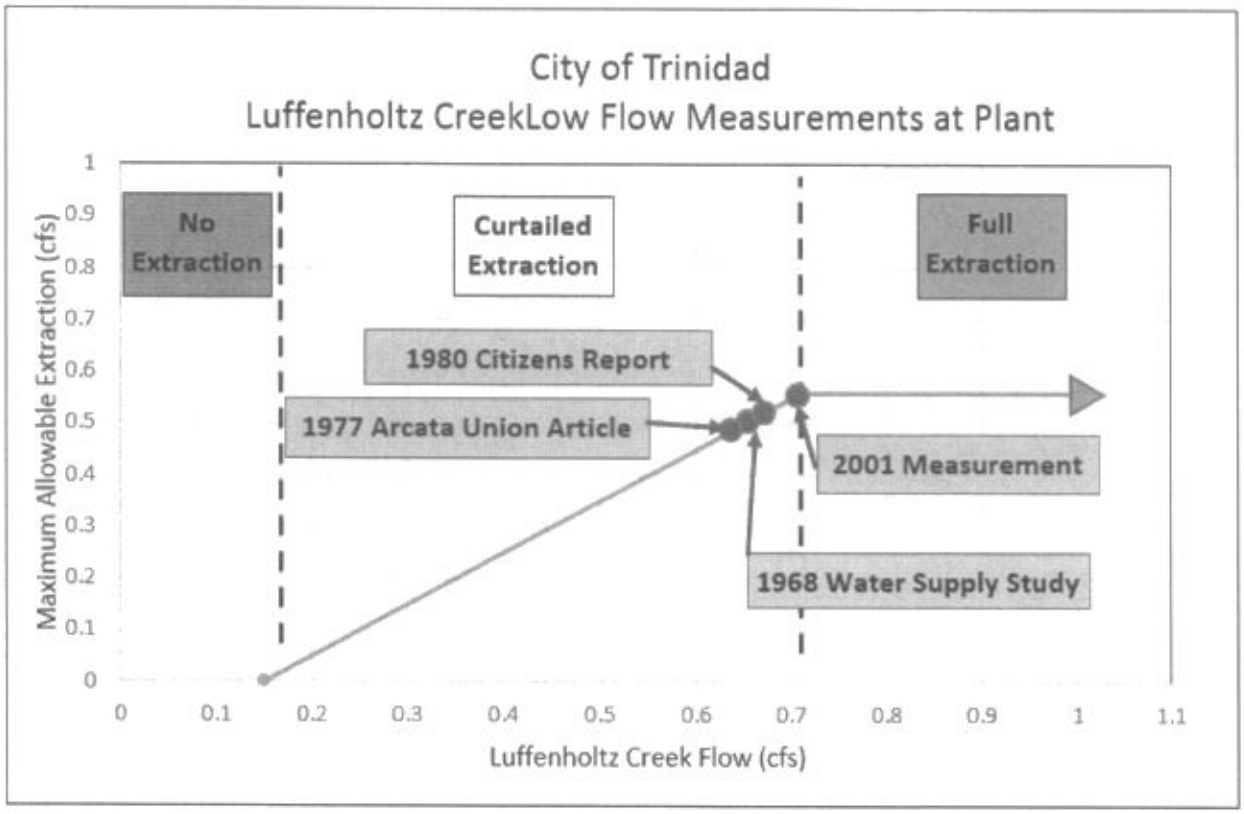
The City of Trinidad has measured flow on Luffenholtz Creek a number of times over the years. The City set up a weir in the early 1990's that was destroyed in a 1997 flood. Only one small data set from the fall of 1994 exists. The 1994 data is based on measuring the flow just below the intake of the water plant, and the total

flow was calculated by adding the water plant flow to the measured flow. The 1994 flow data ranged from 421 gpm to 466 gpm (0.94 cfs to 1.22 cfs).

A new weir was constructed downstream of the water plant intake in the summer of 2001 for collecting data. Preliminary data from September of 2001 indicated that without the water plant pumps running, the creek flow was approximately 313 gpm (0.70 cfs). This flow value is just under the City of Trinidad's water right plus bypass requirement. The flow in the watershed can continue to diminish in the fall months prior to winter rains and so it is possible that creek flows continued to drop before gaining again after the winter rains began.

Formal continuous flow monitoring over the life of the treatment plant has not been conducted in part due to the difficulty of obtaining continuous accurate measurements of low flow conditions. However, the State Water Board in recent history emphasized the importance of continuous flow monitoring and the City had flow monitoring equipment installed in the summer of 2017. The recent multi-year drought ended in 2016 and so the data collected so far does not include the recent critical low flow drought period. The City should continue to monitor the flow in Luffenholtz Creek to build a better understanding of the flow characteristics of the creek under a variety of seasonal conditions.

Although the City has a water right to divert up to 0.56 cfs (251 gpm), the City must bypass a prescribed amount of flow, and so low flow conditions may restrict allowable extraction. Periodic monitoring of a number of lower flow conditions over the past decades suggests that the creek flow can drop to levels where the City's extraction could be curtailed below the maximum water right. Four such low flow measurements are shown along with the water rights allowance in the following figure:



Although the City does not have flow data during low flow periods spanning the recent multi-year drought, creek flows may have been in the Curtailed Extraction Zone. Aside from drought, other longer term conditions including additional extractions from the creek as well as climate change could affect creek flows as further discussed in the next section.

7. Trinidad's Use of the Existing Water Right

The City can extract up to 0.56 cfs from Luffenholtz Creek which is just over 250 gpm. As was outlined in a previous memo, Water Treatment Plant Production Rate Test and Analysis (GHD, May 2019), the City typically extracts at approximately 70 gpm (0.16 cfs) and the operators feel based on their experience that extraction could be increased to approximately 105 gpm (0.23 cfs) during low flow periods. Theoretically, the City could legally extract significantly more water from the creek. However, there are a number of factors that may make this impractical. Aside from limitations in the overall treatment capacity previously highlighted, operational experience indicates that there are limitations in the infiltration gallery extraction system that may reduce the ability of the City to extract water. Operator experience has shown that during low flow periods it becomes increasingly more difficult to extract water. Under low creek flow conditions, water flow through the gravels and into the infiltration gallery and the wet well decreases and cannot keep up with maximum available pumping capacity. Hence the operational experience suggests a current limitation of approximately 105 gpm (0.23 cfs). To increase capacity, the operators can backwash the gravels with water and air during the wet season to clean the gravels of some of the sediments. However, this cleaning process is not

practiced during low flow periods due to the release of sediments from the gravels which would enter the relatively clean low flow stream.

What is not known is how low flows during Curtailed Extraction could further negatively affect extraction performance of the infiltration gallery. Even if water were available to legally extract, very low flow conditions may further hamper extraction capacity. For example, if creek flow were 0.5 cfs (224 gpm), the City could legally extract 0.35 cfs (157 gpm), which is more than twice the typical extraction rate under normal conditions. However, under such low flow conditions the infiltration gallery may not be able to pass this rate and potentially couldn't pass even the typical extraction rate. Further study of the capacity of the infiltration gallery under very low flow conditions should be conducted over time to better document the performance of the infiltration gallery and potentially lead to improvements under low flows.

8. Future Water Supply in Luffenholtz Creek

The water supply in Luffenholtz Creek available to Trinidad could be further reduced in the future. It is expected that upstream extractions, future droughts, and climate change could result in flows more frequently dropping into the Curtailed Extraction Zone.

Future extractions in the watershed are very difficult to predict due to the nature of water rights, possible changes in water uses, very limited and incomplete data on historical extractions, and other factors. Riparian rights holders upstream have the right to reasonable beneficial use, which could include domestic and agricultural extractions or other beneficial uses. Although cannabis cultivation does include additional protections for water supplies, typical agriculture does not. Hence, riparian property owners could legally use additional water from upstream in the watershed. At this time, it is simply unknown how other extractions from within the watershed could affect the water supply for Trinidad, but it is assumed that existing upstream extractions are not likely to decrease over time.

The change in climate could likely have a significant long term effect on the amount of water available in the watershed for all beneficial uses. The effects of climate change have already been documented through analysis of historical climate data. A variety of models have been prepared to forecast the effects of continued climate change. Models suggest that average regional temperatures are expected to increase by three or more degrees Fahrenheit by mid-century. Precipitation models indicate a slight decrease in annual totals by the end of the century, but the patterns are expected to change to fewer larger storm events and greater runoff. In addition to precipitation, fog frequency is also projected to decrease. Although future coastal fog modeling is in the early stages of development, a study performed in 2010 found that over the 20th century there was an approximately 33% decrease in fog along the California coast and the occurrence of fog could further decrease this century. Furthermore, burned areas from area wildfires are likely to increase. The overall implication is that climate change over the coming decades will tend to make temperatures warmer, decrease the occurrence of fog, and change precipitation patterns. Of those factors, the change in precipitation patterns may have the greatest effect on Luffenholtz Creek Flows as it is the slow recharge of groundwater during the winter months that feeds the Creek during the summer months. Fewer more intense storms will tend to result in greater runoff and less percolation into groundwater.

With a variety of factors that are expected to reduce low flows in Luffenholtz Creek over the coming decades, the frequency of flows being in the Curtailed Extraction Zone are expected to increase. Due to the lack of accurate long term flow monitoring data and the future influence of factors affecting the watershed, the frequency, extent, and duration of such Curtailed Extraction periods is not known. However, it is generally known that flows continue to diminish during dry weather until regular seasonal precipitation events return. This suggests that if the City enters the Curtailed Extraction Zone early in the summer, that it could progressively become more significant for up to several months until regular rains return.

Also, as discussed in the previous section, although the City of Trinidad's actual typical water extraction is significantly less than the available legal water right, low flows in Luffenholtz Creek in the Curtailed Extraction Zone may reduce the effectiveness of the infiltration gallery system so that the City cannot practically extract the allowable amount or even the typical amount. Lower flows in the creek can simply reduce the achievable rate of extraction.

9. Summary of Concepts Associated with the Extraction Zones

The concept of Extraction Zones was developed to illustrate the range of creek flows and allowable extraction rates based on the City's existing water rights. The concepts introduced in this analysis are summarized for the three Extraction Zones below.

Full Extraction

Under a full extraction scenario, creek flows are above 0.71 cfs and in general it is expected that the City could reliably extract typical flows in the 70 to 100 gpm range. Even though the City has the legal right to extract at a higher flow rate, historically the City has not needed to extract at a higher flow rate to meet demands. Also, from an operational standpoint, the overall intake system performs better at the lower flow rate. It may be possible to extract at higher than the typical rate of 70 to 100 gpm, but hydraulic restrictions within the gravel bed, infiltration gallery, and wet well system tends to reduce the practical capacity. Based on separate studies, the City could have treatment capacity available beyond current demands when sufficient flow is available in the creek.

Curtailed Extraction

The City's legal right to extract water from Luffenholtz Creek is curtailed when the total creek flow upstream of the City's infiltration gallery drops below 0.71 cfs and diminishes as creek flows decrease. Based on the very limited flow data available, it appears that drought conditions of the past have reduced creek flows to within the Curtailed Extraction Zone. However, the allowable extraction associated with these low flow data points is significantly higher than the typical rate of extraction and so such historical low flow occurrences may not have limited the City's ability to meet water demands at the time. It should be noted, that there was no flow data recorded from the most recent drought and so it is unknown how low the creek flow has recently been. The City's current monitoring of flows should be continued to comply with State Water Board requirements and to provide the City with ongoing information for operations.

It is also important to note in the flows in the Curtailed Extraction Zone are quite low and the limiting factor may not be the water right, but rather may be the ability of the gravels, infiltration gallery, and wet well intake

system to actually convey the water. Quite simply, the current intake system does not operate very effectively at very low creek flows.

What should also be noted is that the Curtailed Extraction Zone is a narrow band of low flows and that climate change and associated changes in precipitation patterns along with potential changes in other extractions from the watershed may lead to more frequent low flow conditions that affect the water right and perhaps more significantly, the practical ability to extract water.

Low flow conditions in the curtailed Extraction Zone could last for weeks or months depending on the conditions. Depending on the severity and circumstances, this could result in a reduction in water available to meet customer needs. Such a condition would require rationing so that the water that was available could be distributed to customers as priorities warranted. This is a matter of setting water policy and developing implementation and enforcement measures.

No Extraction

According to the City's water right, the City must bypass a minimum of 0.15 cfs and if the flow drops below 0.15 cfs, the City is not allowed to extract any water. Although no flows have been recorded below 0.15 cfs, it is possible that climate change and changes in precipitation patterns as well as other extractions in the watershed could lead to this situation under some conditions. If the City was in such a situation, the existing storage would last only a few days and may not be sufficient to bridge the shortfall until wet weather returned and increased creek flow so the City could extract water again.

10. Recommendations

The City's current water supply from Luffenholtz Creek is subject to the requirements of the existing water right and the ability of the City to make adequate beneficial use of the right depends on creek flow at the City's intake as well as other factors such as treatment capacity, and storage and distribution capacity. The analysis in this memo was focused on the watershed, flows in Luffenholtz Creek, and extraction from the creek and the following recommendations are proposed to help address raw water supply issues and to better prepare the City for long term water supply:

The City began continuous monitoring of bypass flows several years ago and monitoring and reporting the State Water Board should continue. The data management system in current use is difficult for operations staff to access and it is recommended that improvements be made in data management to allow City staff better access to the data.

Since the intake system has capacity limitations under lower flow conditions, it is recommended that the intake system be further evaluated to better understand limitations and to identify potential system improvements and operational changes to possibly increase intake capacity.

Based on what is known about the watershed, the water rights, historical low flows, performance of the intake system, and the potential for other supply emergencies such as mechanical failures and natural disasters, it is possible there could be a shortfall in supply under some conditions. This potential for shortfall

exists today with current customers. It is recommended that the City develop policy for managing shortfalls in water availability. The City should also consider how much additional water to allocate to future customers. It is recommended that the City consider a planning horizon to the year 2100, which is the timeframe for typical climate change planning.

The watershed limitations and issues and extraction challenges under low flows cannot be completely mitigated without considering alternative sources of supply with different characteristics. It is recommended that the City investigate alternative long term sources of supply to improve long term system reliability. This is warranted to provide long term reliability to existing customers as well as future customers. Such an analysis should also include projections to 2100.

Memorandum

October 2, 2019

To:	Eli Naffah, City Manager	Ref. No.:	11198797
From:	Patrick Sullivan, Steve Allen	Tel:	7074438326

Subject: City of Trinidad alternative raw water source evaluation

The City of Trinidad serves treated water to approximately 1,000 people within the City service area. Currently, Luffenholtz Creek is the only source of raw water utilized by the City. The City's diversion and water plant is located at 1313 Westhaven Dr. Trinidad CA, adjacent to Luffenholtz Creek. Water for the plant is pumped from a wet well that is filled through an infiltration gallery located approximately 10 feet below the creek bed. The City's water right on Luffenholtz Creek specifies the rate of diversion, the annual maximum diversion, and required bypass flow requirements. The bypass flow requirement is the minimum flow rate that must be allowed to bypass the water intake. In addition to water right limitations, the effective water production rates are currently limited by physical constraints in the processing of the water. While the City's current water demand and production rates are far below their existing water rights limits, there may be other limitations to water production that inhibit the City's ability to continually meet the existing and future water demands. These include: water intake system limitations, production capacity of the existing water treatment facility, capacity of the storage and conveyance system, or limited availability of raw water within the Luffenholtz Creek.

An assessment of the treatment plant was previously performed and presented in a technical memorandum, Water Treatment Plant Production Rate Test and Analysis (GHD, May 2019). An assessment of the limitations of the Luffenholtz Creek watershed is presented and discussed in a technical memorandum, City of Trinidad Conceptual Hydrological Assessment of the Luffenholtz Creek Watershed (GHD, September 2019).

In the event that there is insufficient raw water supply within the Luffenholtz Creek watershed, the City will need to augment the water supply from other sources. The purpose of this memorandum is to identify and evaluate potential alternative water sources for the City. These alternative sources of raw water evaluated in this memo include:

- Recycled/reclaimed water
- Desalination
- Rainwater catchments
- Spring catchment
- Other creeks, such as Mill and Parker Creek
- Humboldt Bay Municipal Water District

GHD
718 Third Street Eureka California 95501 USA
T 707 443 8326 F 707 444 8330 W www.ghd.com

Recycled or Reclaimed Water

Recycled water is highly treated sewage wastewater, industrial wastewater, and storm water runoff. The recycled water is treated to a high degree through filtering and processing to remove solids and impurities and is disinfected prior to use. Many municipalities utilize recycled or reclaimed water to augment their water supply. In some cases recycled water accounts for more than 20% of the total demand.

The treatment of the recycled water occurs at a wastewater treatment facility. The recycled water treatment facility requires a high level of treatment and filtration which typically have higher capital and operational costs.

Recycled water often has higher levels of total dissolved salts and nutrients. This limits the use of the water to landscape irrigation and some industrial uses. In some cases recycled water is used to recharge groundwater that is later pumped out for domestic use.

For the City of Trinidad, the use of recycled water has several limitations. The main factor is that the City does not currently have a centralized sewer collection and treatment system. Recycled water is not potable (not for human consumption) and would require a separate delivery system.

Desalination

Desalination is the process of removing salts and minerals from sea water to create potable drinking water. There are several methods for the process of desalination that entail a distillation or membrane filter process. All of these processes require sophisticated equipment and are very energy intensive. The process would require an ocean intake for the raw sea water and an outfall for the highly saline brine that is created as byproduct of the process.

While desalination is technically possible, it is not currently a viable option for the City due to the high capital and operational costs, intake and outfall permitting, and potential environmental concerns from the brine outfall.

Rainwater Catchments

Rainwater collection systems capture rainwater runoff from impervious areas such as roofs, patios, streets and driveways and convey it to storage tanks or cisterns. These types of systems vary in size and complexity and could range from a simple rain barrel to large filtration and storage tanks. Typically, rainwater is not considered potable without some kind of filtration and disinfection. The most common use of captured rainwater is landscape irrigation as it does not require filtration and disinfection. Some of the benefits of rainwater catchment is that Trinidad gets plenty of rain and it is a simple technique that only requires a water tank (barrel) to be connected to the roof down spouts. Without installing large storage tanks on every property in Trinidad, the impact of rainwater catchment would be limited. With approximately 1000 residents, if every person had a 55 gallon rain barrel that would account for about one days' worth of the City's water production. The 55 gallon rain barrels are not very cost effective and would not provide significant benefits other than public education. However, encouraging installation of larger tanks, where appropriate, for outdoor watering and firefighting water could provide more significant and cost effective water storage. If 100 landowners installing 2500 gallon tanks (similar to a large septic tank) storage would increase by

250,000 gallons. This water could be used for irrigation of landscaping but would not be available to the potable water system. Homeowners with pumped rain water catchment systems would need to install backflow prevention devices in order to comply with water distribution system regulations. This also means that the water would not be available to the City's potable water system, which includes the firefighting water supply. While rainwater catchment is encouraged throughout the City as a conservation measure it will have very limited benefit to the water supply needs.

Springs Catchment in the Trinidad Area

The use of a distributed network of a collection system using natural springs located in the Trinidad area is a potential water source for the City. This possibility has been proposed on multiple occasions by Steve Madrone who is the 5th District supervisor. The basic idea would be to construct a collection and treatment system close to multiple springs, which would then convey the drinking water via separate pipelines for distribution. Alternatively, the water could be conveyed to the City's existing treatment plant.

The prime benefit of this alternative system is the avoidance of higher turbidity levels, which can be found in both Mill and Luffenholtz creeks (Madrone, 2011). Collecting and treating water with lower turbidity levels would decrease the total amount of treatment necessary to meet the regulations set forth by the EPA. Additionally, multiple conveyance systems could be strategically placed to efficiently distribute water to the community.

Some of the concerns with this design would be the potential increase in maintenance, access to spring locations (permitting, right-of-way, easements, etc.), and water conveyance. There could be an increase in necessary maintenance due to multiple collection and treatment locations, which would all require scheduled preventative maintenance as well as any necessary repairs. The spring locations need to be further studied and evaluated but they could potentially require permitting and/or easements to access and then develop a water collection and conveyance system.

The water quality of the springs would need to be regularly monitored. As with the existing system on Luffenholtz Creek, springs are susceptible to influences for surface usage and runoff. Water quality and treatment needs to be continually monitored during production. Using multiple springs would require more monitoring effort than is currently being done at existing treatment facility.

The springs in the Luffenholtz and Mill Creek watersheds supply a portion of the water flowing in Luffenholtz and Mill creeks. The proposed distributed collection system would be gathering the same water further upstream than the current collection location, essentially collecting water that would be going to the existing water treatment facility. The hydrology of the creeks would need to be evaluated under the assumption that water collection locations would be further upstream; to determine the impact this could have on the creeks.

A water collection, treatment, and conveyance system could be developed utilizing the springs in Trinidad. The primary advantages of a distributed spring collection system are 'cleaner' source water and potentially more raw water availability due to water from multiple drainages. The amount of additional water would require more study and further data collection in the subject watersheds. Some of the limitations to a distributed spring collection system are: the effort needed to obtain legal water rights to the spring, the costs to install new treatment and conveyance infrastructure (either at the point of the spring capture or

conveyance piping from the spring to the existing treatment plant), increased monitoring and maintenance requirements. Additionally, a distributed spring collection system would be subject to the same vulnerabilities of drought and influences of other water users within the drainage, as presented in City of Trinidad Conceptual Hydrological Assessment of the Luffenholtz Creek Watershed (GHD, September 2019).

Other Creeks

There are three other creeks, Parker Creek, McMconnahs Creek and Mill Creek, in the Trinidad area that could potentially serve as sources of raw water for the City. There is very limited available flow data on these creeks and the use of these creeks as a supplemental water source would require more study and further data collection in the subject watersheds.

The City currently has a water right on Mill Creek that allows for a 40.4 gallons per minute extraction rate and maximum of 21.244 million gallons per year. The City is not currently exercising this water right. Parker Creek frequently has no measurable flow and there are no known existing water rights on this creek. McMconnahs Creek has eight water rights and Mill Creek has nine water rights, including the City's. As with Luffenholtz Creek, the water right does not mean that there is water available in these creeks.

Utilizing either McMconnahs Creek or Mill Creek would require the construction of new diversions on the creeks. They would likely be similar to extraction/diversion of the existing facility on Luffenholtz Creek. After extraction the raw water would either need to be pumped to the City's Luffenholtz treatment plant or new treatment and disinfection facilities would need to be constructed. Construction of new facilities would entail acquiring land and access to the sites as well as new pipes for a conveyance of the water. Permitting requirements for the diversions would require significant effort and may be within the coastal zone.

Utilizing these creeks for an additional raw water source would be subject to the same vulnerabilities of drought and influences of other water users within the drainage, as presented in City of Trinidad Conceptual Hydrological Assessment of the Luffenholtz Creek Watershed (GHD, September 2019).

Humboldt Bay Municipal Water District Technical Feasibility

The concept of connecting the City of Trinidad to the HBMWD has been considered numerous times over the past 50 years. The idea is simple and would require extending the HBMWD system north, connecting it to the existing Trinidad water system (McHaney, 2001, pg. 2). The HBMWD currently serves water to roughly 80,000 people from Ranney wells located in the Mad River. The Mad River has a reliable source of water because it originates from Ruth Lake, which is a 48,000 acre-foot reservoir (McHaney, 2001, pg. 3). In order for water from the HBMWD to reach the City of Trinidad, the McKinleyville Community Services District (MCSD) system would need to be utilized.

The MCSD water system was constructed with this possibility in mind and would be able to handle the increased water capacity. The water system starts at the Grant A. Ramey pump station and winds through McKinleyville until it terminates with a 12-inch pipe on Dows Prairie Road. Homes served by the MCSD system, east of the end of the line on Dows Prairie Road experience low water pressure. This is indicative of the need for an addition pump station if the distribution system is extended (McHaney, 2001, pg. 4). The MCSD has considered extending the Dows Prairie Road main further to connect with more customers, which would require the installation of a new booster pump station and possibly a new storage reservoir. The

installation of a new pump station and reservoir would provide the infrastructure necessary to reach the City of Trinidad water system.

The City of Trinidad water system starts at their water treatment plant on Luffenholtz Creek near Westhaven Drive. The most logical approach to connecting the HBMWD to the City of Trinidad would be to construct a pipeline from the MCSD's Dows Prairie main to the Trinidad Water Treatment Plant, where it would connect to the existing system, shown in Figure 1. This approach would require the implementation of a new booster pump station as mentioned before, as well as the design and construction of a new pipeline.

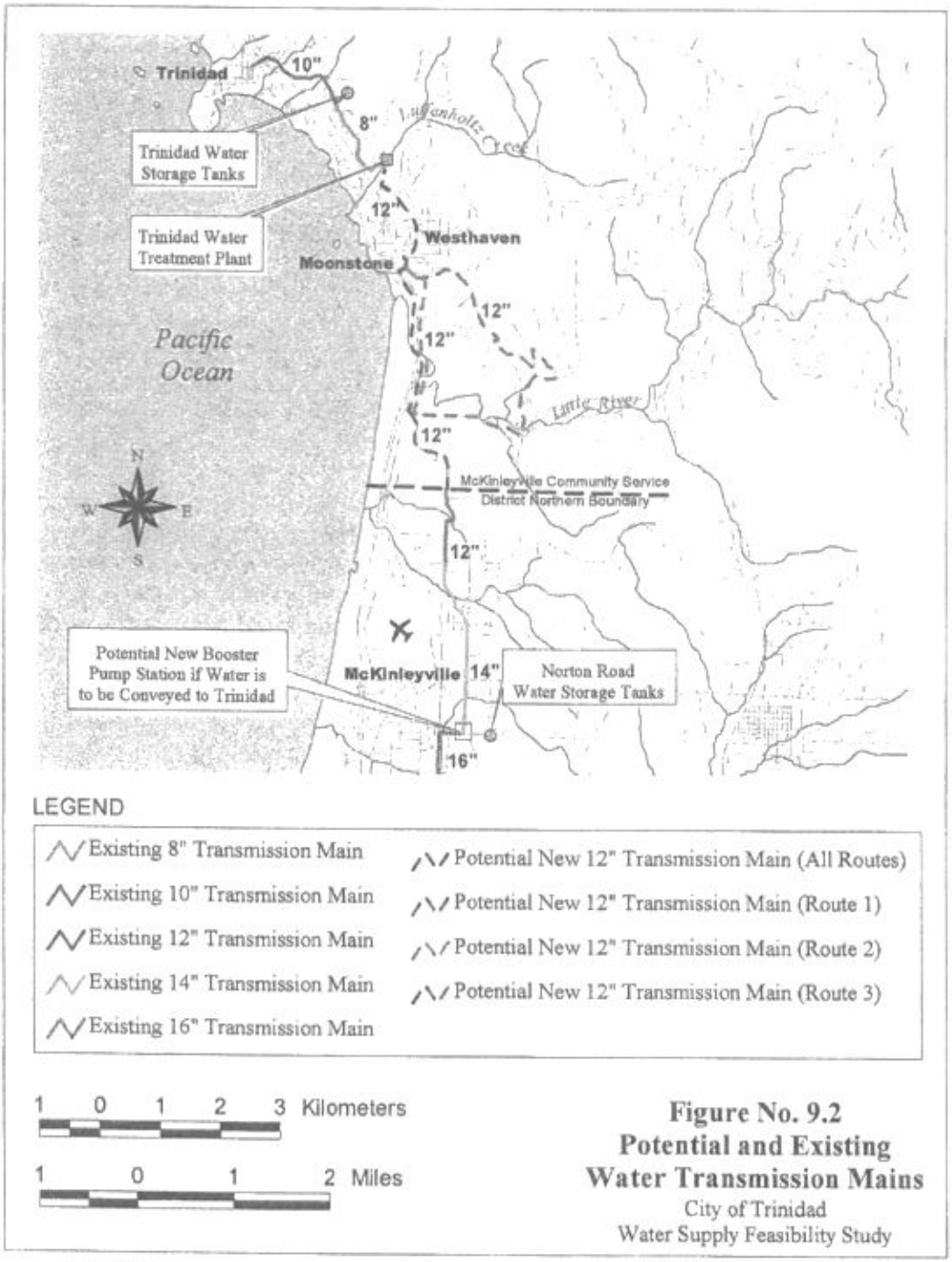


Figure 1: Proposed pipeline routs to connect MCSD water system to the City of Trinidad water system.

A 1967 report, conducted for the HBMWD, investigated possible alignments for the construction of a pipeline from Arcata to Trinidad. The report included three alternatives and chose route one as being the most logical of the three. The chosen route would follow county roads from the end of the MCSD system to Little River, where the pipeline would cross the West side of Highway 101 and then continue north to Scenic Drive and then along Westhaven Drive to the Trinidad Water Treatment Plant (HBMWD, 1967). This possible alignment could be developed in the Humboldt County, Highway 101, and PG&E right-of-ways, or new easements could be obtained. A cost estimate was included in the 1967 report and estimated a total cost of $1,940,000, which is broken down in Table 1.1 in the Appendix.

For the City of Trinidad to receive water from the HBMWD, they would have to coordinate with many agencies including HBMWD, MCSD, the Local Agency Formation Commission (LAFCO), Humboldt County, Coastal Commission, and Caltrans (McHaney, 2001, pg. 10). A pipeline from the MCSD's main on Dows Prairie Road to the start of the Trinidad system on Luffenholtz Creek could be constructed. Details regarding the alignment of the new pipeline, right-of-way issues, and modifications to the MCSD pumping capacity would need to be resolved to provide proper operation.

Conclusion

As the City evaluates the viability of the Luffenholtz Creek watershed to continually provide potable water to existing customers and assesses additional service requests it may become necessary to augment the raw water supply to the system. This memorandum summarized several alternatives for raw water sources available to the City, including: recycled/reclaimed water, desalination, rainwater catchment, spring catchment, other creeks near Trinidad (Mill, Parker, and McMconnahs Creek), and connecting to Humboldt Bay Municipal Water District. The advantages and limitations of each was discussed.

Water sources such as recycled water and desalinization may be technically feasible, but the required infrastructure and operational costs could be prohibitively high, thus rendering them infeasible.

Rainwater catchment is an option that should be encouraged throughout the City as a best management practice. Using the stored rainwater to irrigate landscaping will decrease the demand on the potable water system. However, when the amount of rainwater stored and used for irrigation is compared to the total amount of water the City produces the overall impact on system demand is minimal. Rainwater catchment will also help the City achieve the ASBS stormwater runoff prohibition.

The use of springs throughout the Trinidad area or utilizing other creeks has potential to meet the City's water needs with the continued use of Luffenholtz Creek. Both approaches would require additional studies and significant investment in infrastructure, land acquisition, permitting, operational and maintenance costs.

Purchasing water from HBMWD is a feasible option that would meet the City's current and future water needs. Some of the drawbacks of this alternative are that it would require significant investment in permitting and installing a conveyance pipeline from McKinleyville to the City's system. Purchasing water from HBMWD would mean making a regular payment to HBMWD which may have an influence on the current rate system. Some of the advantages to this alternative are the availability of potable water and the reliability of the water supply and resilience to drought and climate change. HBMWD raw water comes from the Mad River

watershed. With a much larger watershed area and storage reservoir (Ruth Lake), the supply of water is much less vulnerable to the challenges of drought conditions and climate change.

References

GHD (2019) *'City of Trinidad Conceptual Hydrological Assessment of the Luffenholtz Creek Watershed'*, GHD Eureka, CA HBMWD (1967). *'Report Concerning Mckinleyville – Trinidad Area Water Service'*,

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Madrone, S.S. (2011). *'Fine sediment sources in coastal watersheds with uplifted marine terraces in Northwest Humboldt County, California'*, Humboldt State University, Arcata, CA.

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Appendix

Table 1.1 Pipeline Route One Cost Estimate Prepared in 1967 (HBMWD)

Item	Payment Type	Cost ($)
Tap existing 27", valve, box, meter	lump sum	7,000.00
9,000'-24" Arcata bottom	$23.00 / l.f.	207,000.00
Bridge Crossing (U.S. 101) (500')	lump sum	10,000.00
16,000'-24" to McKinleyville (R.R Ave.)	$25.00 / l.f.	400,000.00
2 taps McKinleyville area, valves and vaults	lump sum	12,000.00
18,000'-18" to Dows Prairie	$16.00 / l.f.	288,000.00
Dows Prairie, tank (elev. 210) (1 MG)	lump sum	100,000.00
10,000'-16" to Crannell Rd	$13.00 / l.f.	130,000.00
Bridge Crossing (Little River & 101) (400')	lump sum	8,000.00
12,000'-14" to Moonstone	$10.50 / l.f.	126,000.00
2 taps Crannell & Moonstone	lump sum	10,000.00
Booster Station, Moonstone (3 pump, 1000 GPM & 2 MG)	lump sum	60,000.00
16,500'-12" to Trinidad	$9.00 / l.f.	148,500.00
Trinidad Meter, tap and vault	lump sum	4,000.00
Trinidad Tank (elev. 400) (0.5 MG)	lump sum	60,000.00
SUBTOTAL		1,570,000.00
5% Contingency		79,500.00
		1,650,000.00
Land & R.O.W. & Appraisals	lump sum	30,000.00
Legal 2% (including bonds)	lump sum	49,500.00
Topography (Aerial) 15 miles x 1000' or 2000A (50, scale)	lump sum	35,500.00
Engr. plans and specs. @ 5.5%	lump sum	90,500.00
Soils & Insp.	lump sum	35,000.00
Constr. Int. Admin & Reserve 2%	lump sum	49,500.00
SUBTOTAL		290,000.00
TOTAL COST		**1,940,000.00**

Memorandum

October 2, 2019

To:	Eli Naffah, City Manager	Ref. No.:	11198797
From:	Patrick Sullivan	Tel:	7074438326

Subject: City of Trinidad water demand and loss analysis

As the City of Trinidad considers its water supply needs, it is important to evaluate water losses within the existing system. Water losses are defined as water pumped and treated minus the water sold to clients. Identifying and eliminating system losses will have the effect of overall reducing water demand. This memorandum evaluates the amount of water the City produces and compares it to the amount of water sold to quantify the amount of water lost in the system.

Water System Background

The City withdraws water from Luffenholtz Creek to meet the current demand from its customers. Raw water from Luffenholtz Creek is diverted through an infiltration gallery that feeds a wet well. The infiltration gallery allows water to flow into a wet well with intake pumps. Water is pumped from the wet well to a flocculator to reduces turbidity. The water is then pumped through a series of mixed media filters and then through a chlorine contact basin prior to entering the water storage and delivery system. The City has two water tanks that serve as a reservoir and supply the water pressure for the City's piped delivery system. The City's delivery system has several miles of water pipes that convey the water from the treatment plant and storage tanks to the individual customers.

Water Loss

During the process of providing the City with potable water, some water is lost. To account for these losses, the City pumps more water than it provides to customers. Some of these losses are from expected uses and are typical for all water treatment and distribution systems. These include uses such as: backwashing the filters, backwashing gravel bed, flushing hydrants, firefighting and water quality instrument flushing. Water system losses due to expected factors typically accounts for 10% to 20% of the pumped water volume for most municipal water systems. The method for estimating water loss is described in the following *Water Pumping and Sales Records* section. Known water losses due to back washing filters are estimated by visual inspection of the change in water level and not included in the water loss calculation. There is also variability throughout the year as background raw water conditions vary. The primary factor is the raw water turbidity which is higher during storm events and higher flows in Luffenholtz Creek. Higher turbidity in the raw water requires more frequent backwashing of the filters. Operation conditions, like pumping at a higher rate or longer pumping duration may also necessitate more frequent backwashing of the filters. This may cause some variation in water loss that is due to seasonal variability of water use and stream conditions.

Water losses from other causes includes: metering errors, leaks in pipes and connections, and illicit connections. Water loss through leaks in pipes and connections is more common in older pipe systems and

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much of Trinidad's water system is in this category. If water losses are greater than 10% to 20%, identifying and eliminating these water losses could have the effect of decreasing the City's water demand.

Water Pumping and Water Sales Records

The City records the amount of water pumped and the amount of water sold. The amount of water pumped is based upon the master flow meter that is located at the treatment plant. The amount of water sold is based upon totaling up the volume of all the water meters throughout the City. The water meters are totaled and recorded each month. To perform this comparative analysis, data from September 2012 to August 2019 were evaluated. The data is included in Appendix A (Figure A-1 and is graphically shown in Table A-1).

During this seven year period, the monthly average of: water pumped, water sold, water lost, and water loss percent were calculated. The monthly average water volume pumped was 2.1 million gallons and the monthly average water volume sold was 1.5 million gallons. The monthly average water loss was 0.6 million gallons with a monthly average water loss percent of 26.6%. There was a large amount of variability in the records with the lowest monthly water lost percent of 8.9% and the highest monthly water lost percent of 40.1%. These summary statistics are presented in Table 1.

Table 1. Monthly Water Pumped, Sold, and Lost Summary Statistics, September 2012 through August 2019

	Water Pumped (gallons)	Water Sold (gallons)	Water Lost (gallons)	Water Loss Percent
Minimum	1,354,490	1,040,922	123,795	8.9%
Maximum	3,314,731	2,434,805	1,117,590	40.1%
Average	2,105,045	1,542,084	562,960	26.6%

The City's water demand varies throughout the year with the highest demands in the months of July and August. The variation is apparent when the City's water pumping, sales and losses are averaged by each month, as shown in Figure 1 and Table 2.

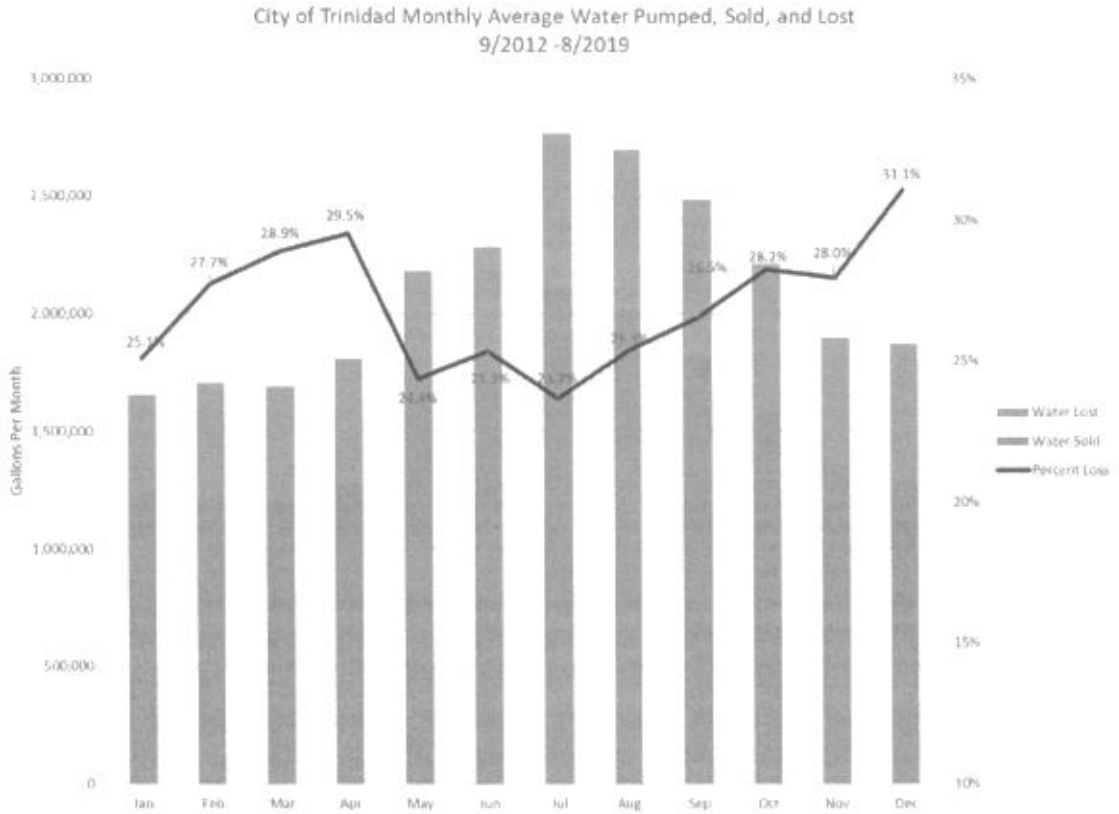

Figure 1. Monthly Water Pumped, Sold, and Lost, September 2013 through August 2019

Table 2. Water Production, Sales, and Loss by Month, September 2012 to August 2019

	Water Pumped (gallons)	Water Sold (gallons)	Water Lost (gallons)	Daily Average Water Pumped (gallons)	Daily Average Water Sold (gallons)	Daily Average Water Lost (gallons)	Percent Loss
Jan	1,657,941	1,242,005	415,936	53,482	40,065	13,417	25.1%
Feb	1,704,689	1,231,878	472,811	60,882	43,996	16,886	27.7%
Mar	1,691,881	1,203,217	488,664	54,577	38,813	15,763	28.9%
Apr	1,807,590	1,274,157	533,433	60,253	42,472	17,781	29.5%
May	2,182,550	1,650,742	531,807	70,405	53,250	17,155	24.4%
Jun	2,285,232	1,706,123	579,109	76,174	56,871	19,304	25.3%
Jul	2,766,948	2,111,838	655,110	89,256	68,124	21,133	23.7%
Aug	2,699,988	2,016,109	683,879	87,096	65,036	22,061	25.3%
Sep	2,485,415	1,826,054	659,361	82,847	60,868	21,979	26.5%
Oct	2,211,611	1,587,153	624,459	71,342	51,198	20,144	28.2%
Nov	1,897,107	1,366,799	530,308	63,237	45,560	17,677	28.0%
Dec	1,869,584	1,288,937	580,647	60,309	41,579	18,731	31.1%

Conclusion

The evaluation of the City's water production and sales records indicate that system water losses are in the range of 24% to 31% of the total water produced. While losses for some months is decreasing, likely due to replacing water lines and failed meters, it is not consistently observed. In general, the loss values are higher than typically expected for water systems of this type and indicate that there is a potential to reduce water demand by identifying and eliminating system losses. Possible causes for the water losses include the following and are further described below:

- Metering errors,
- Illicit connections
- Bulk water sales
- Leaks in pipes and connections

Water meters are installed at each service connection. Water meters have moving parts that wear with time and use. These meters were installed at various times and the usage for each varies. Therefore, errors in recording the quantities may vary slightly. The City regularly replaces old and worn meters when needed and meters are periodically tested to verify accuracy. Based upon discussions with the City's public works staff, it is estimated that the amount of error due to water meter accuracy is very low and not expected to be above

1%-2%. Errors with meters may cause an under reading or an over reading and with the number of meters in the system, these errors typically cancel out.

Illicit connections are unmetered connections made to the system without the knowledge or consent of the City. The City's public works staff regularly inspect the system while reading water meters. They do not suspect that any illicit connections have been made. When evidence of an illicit connection is discovered it is quickly resolved by City staff.

Another type of illicit connection is taking water from unmetered fire hydrants. This has not been observed in the Trinidad area but is a common problem in other areas. It typically occurs at night with a water truck hooking up to an unmetered hydrant to fill a water truck. This has become a problem in drought years when illegal marijuana grows and households on wells are in need of water. The higher loss rates during the summer months may be an indication of this type of water loss.

The City does sell water to a bulk water delivery company and sales are typically in the summer and fall months. This company fills water trucks from unmetered hydrants and delivers the water to people with water tanks for domestic use. The company pays the City based on the number of truck loads delivered and the City reports that water usage on an annual basis. Because the trucks are filled from unmetered hydrants, the amount of water sold appears as a water loss. The amount of water sold to bulk delivery ranges from 40 to 50 thousand gallons per year. This is about one days' worth of product or less than 0.3% of the total water produced.

The most likely cause for the high water loss rate is leaks in old pipes and connections. The City has made several efforts to locate leaks from connections. They have hired independent leak detection services to isolate individual leaks. While minor leaks were identified and resolved these leaks would have had only minor effect upon the overall losses in the system. The City's conveyance system of pipes is aging and much of it is constructed of AC (asbestos concrete) pipe. As this type of pipe ages it may become brittle and may form small leaks. When this occurs throughout the system the leaks can add up to a significant loss of water. The solution to this type of problem is to replace the old pipe. Leaks can be detected and sections prioritized for replacement by isolating sections of the system and measuring pressure loss over time.

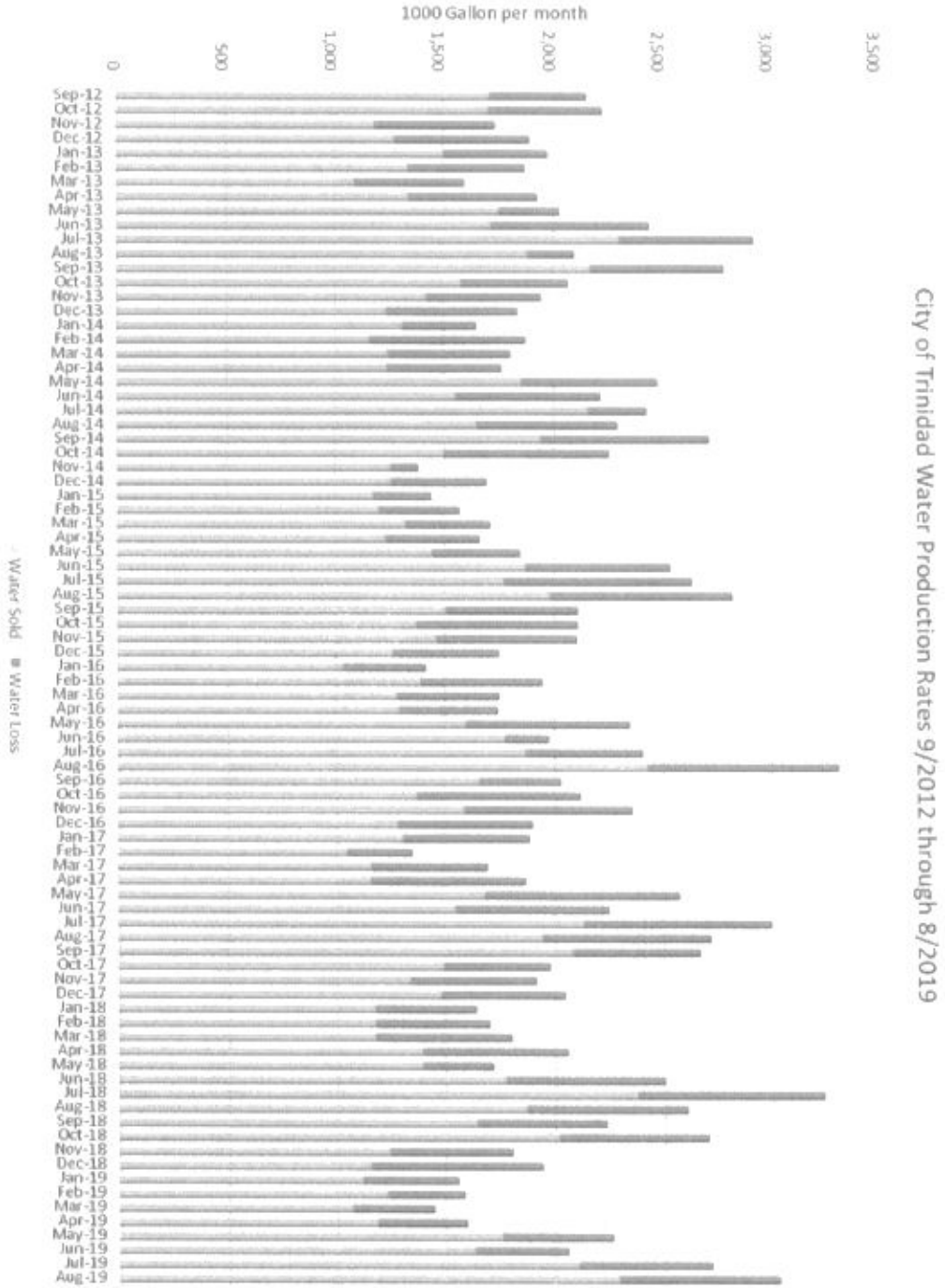

Figure A-1 Monthly Water Production Rates, September 2012 to August 2019

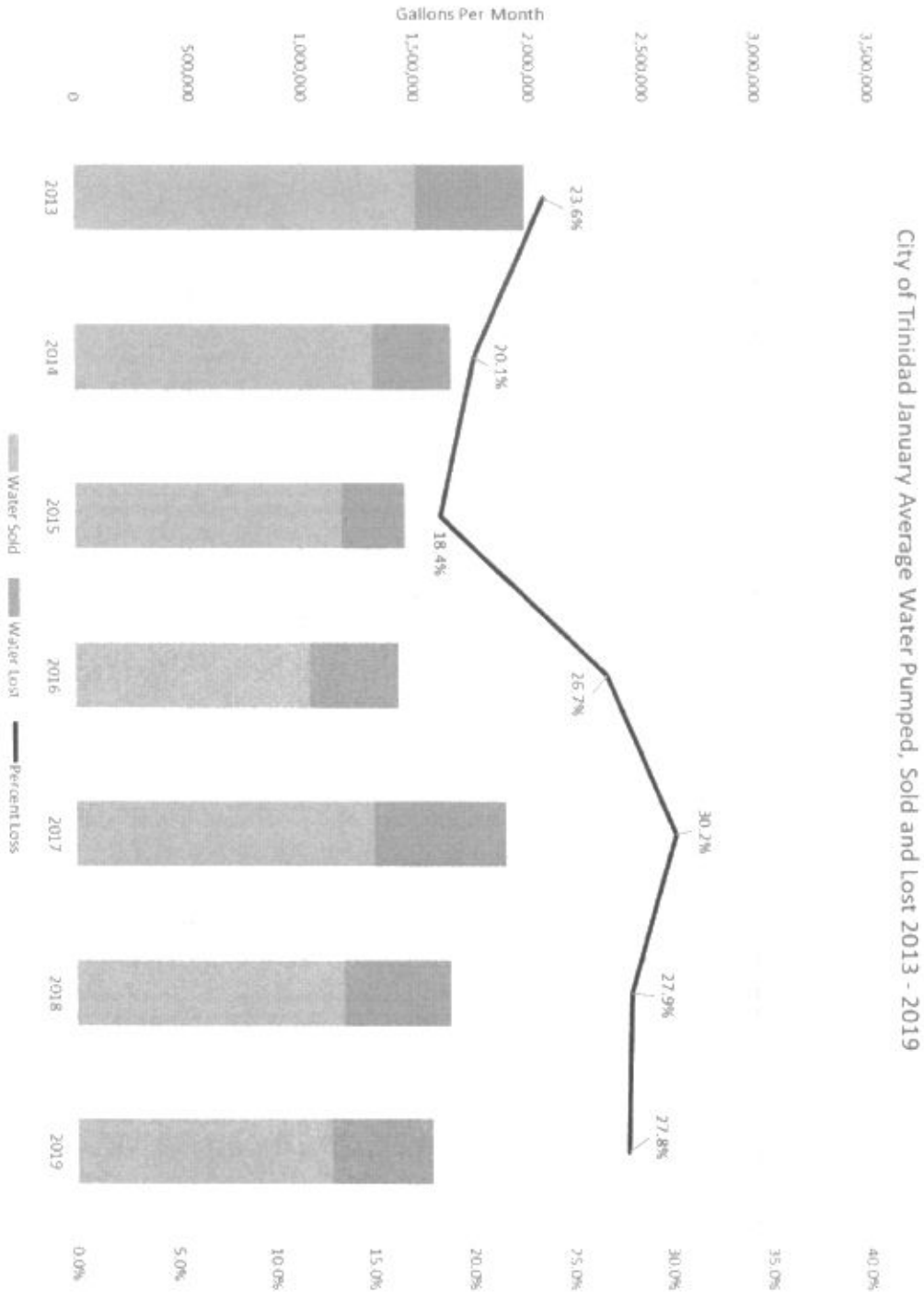

Figure A-2 Monthly Water Production Rates January 2013 to 2019

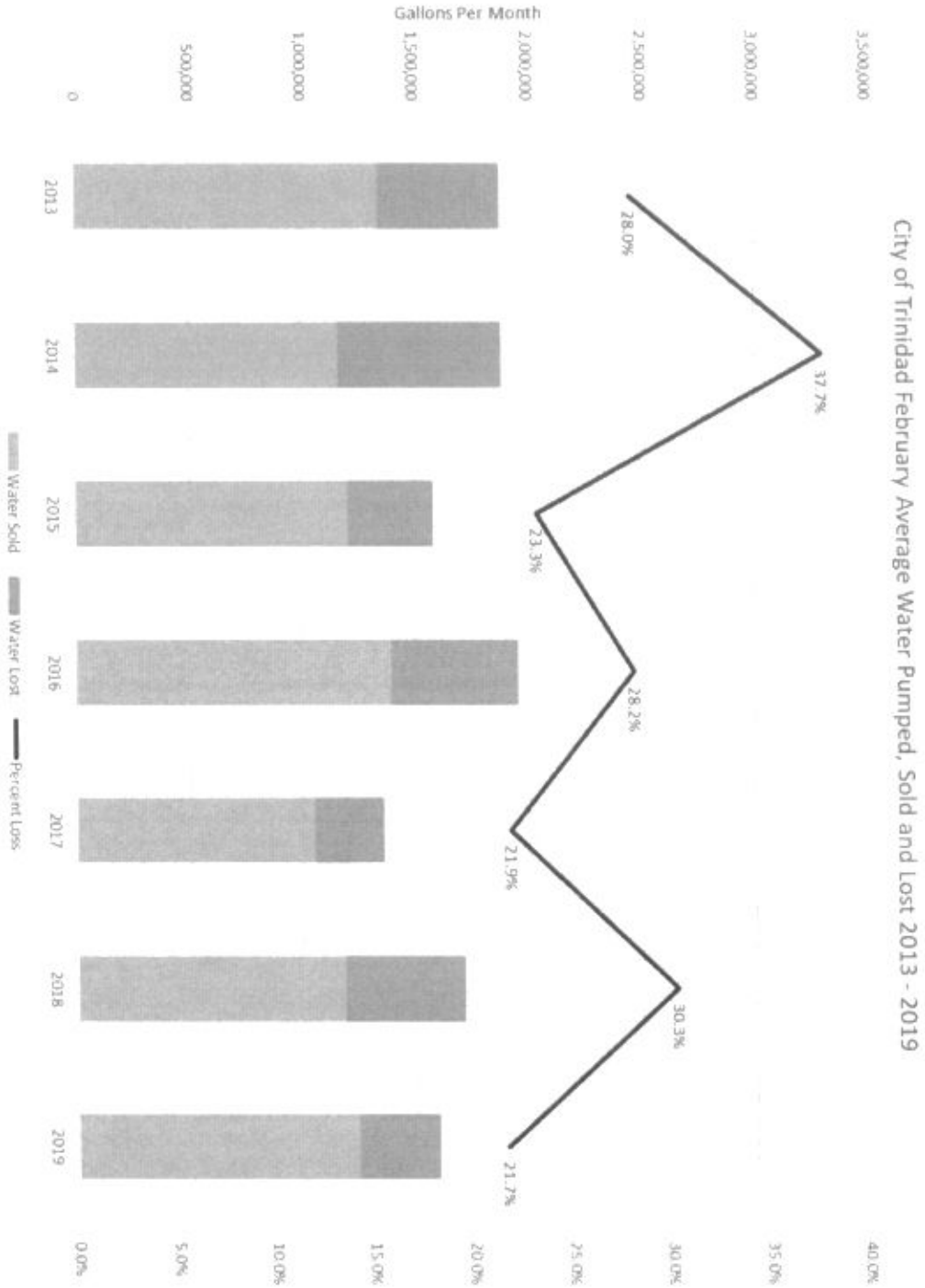

Figure A-3 Monthly Water Production Rates February 2013 to 2019

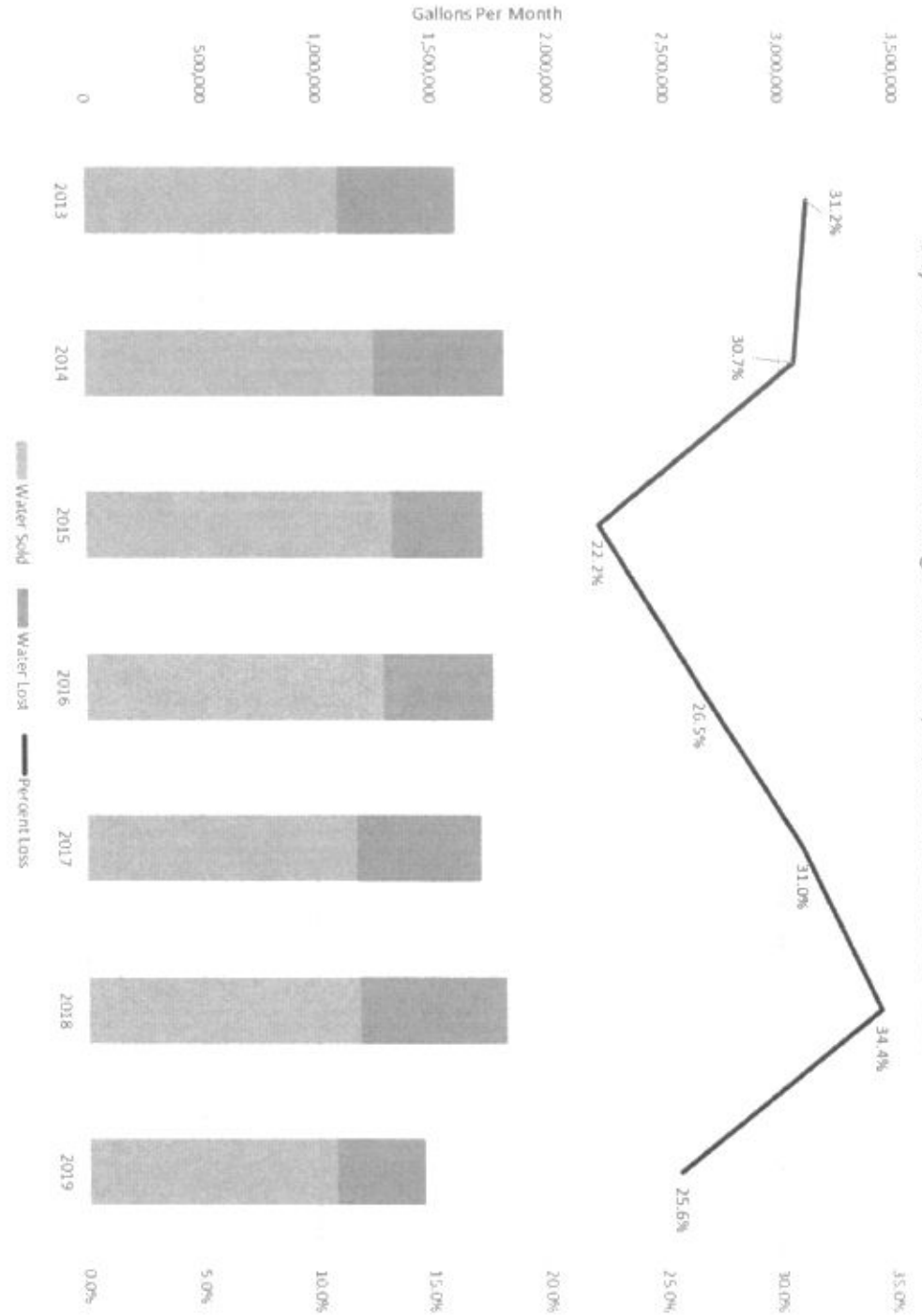

Figure A-4 Monthly Water Production Rates March 2013 to 2019

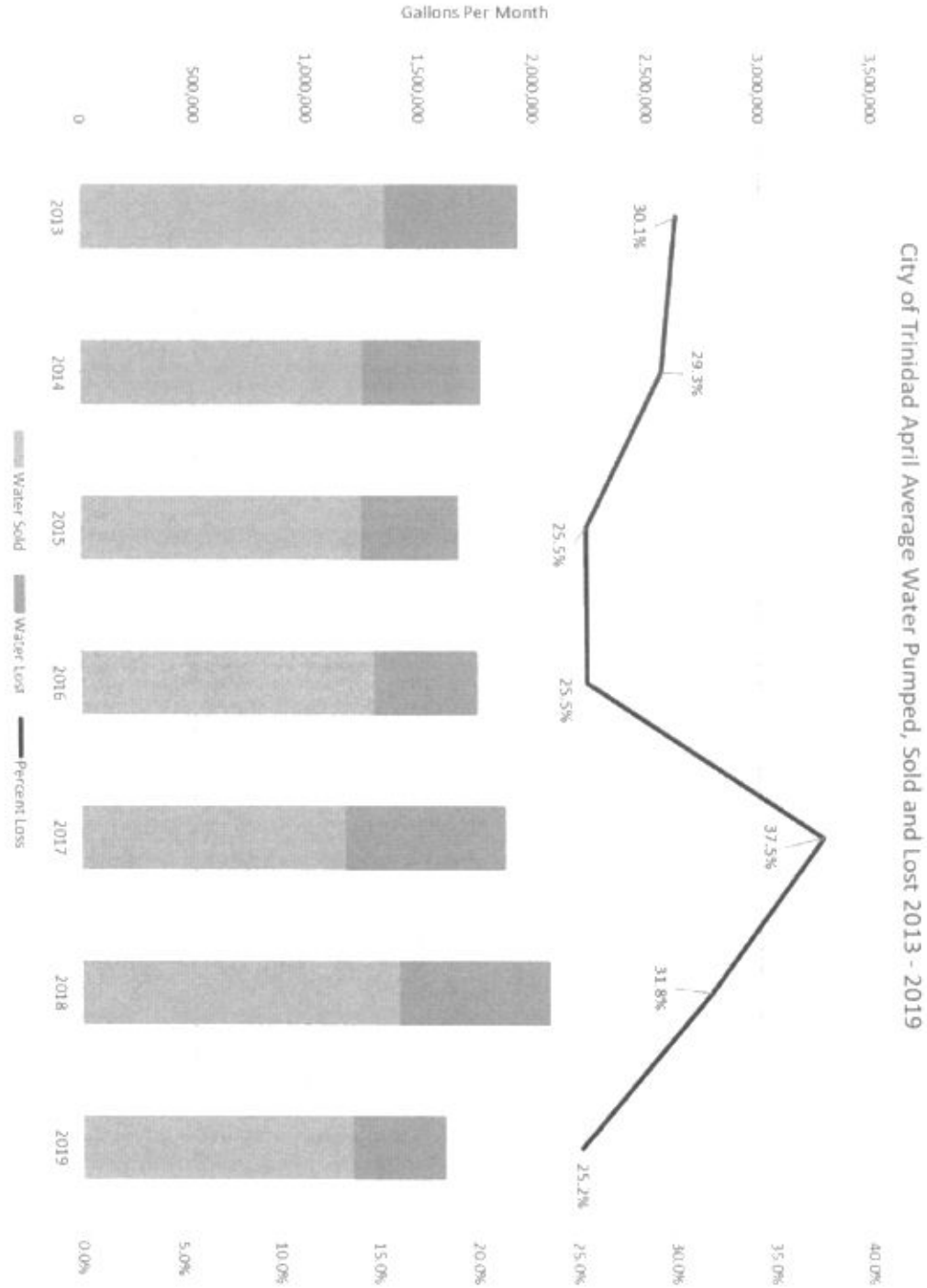

Figure A-5 Monthly Water Production Rates April 2013 to 2019

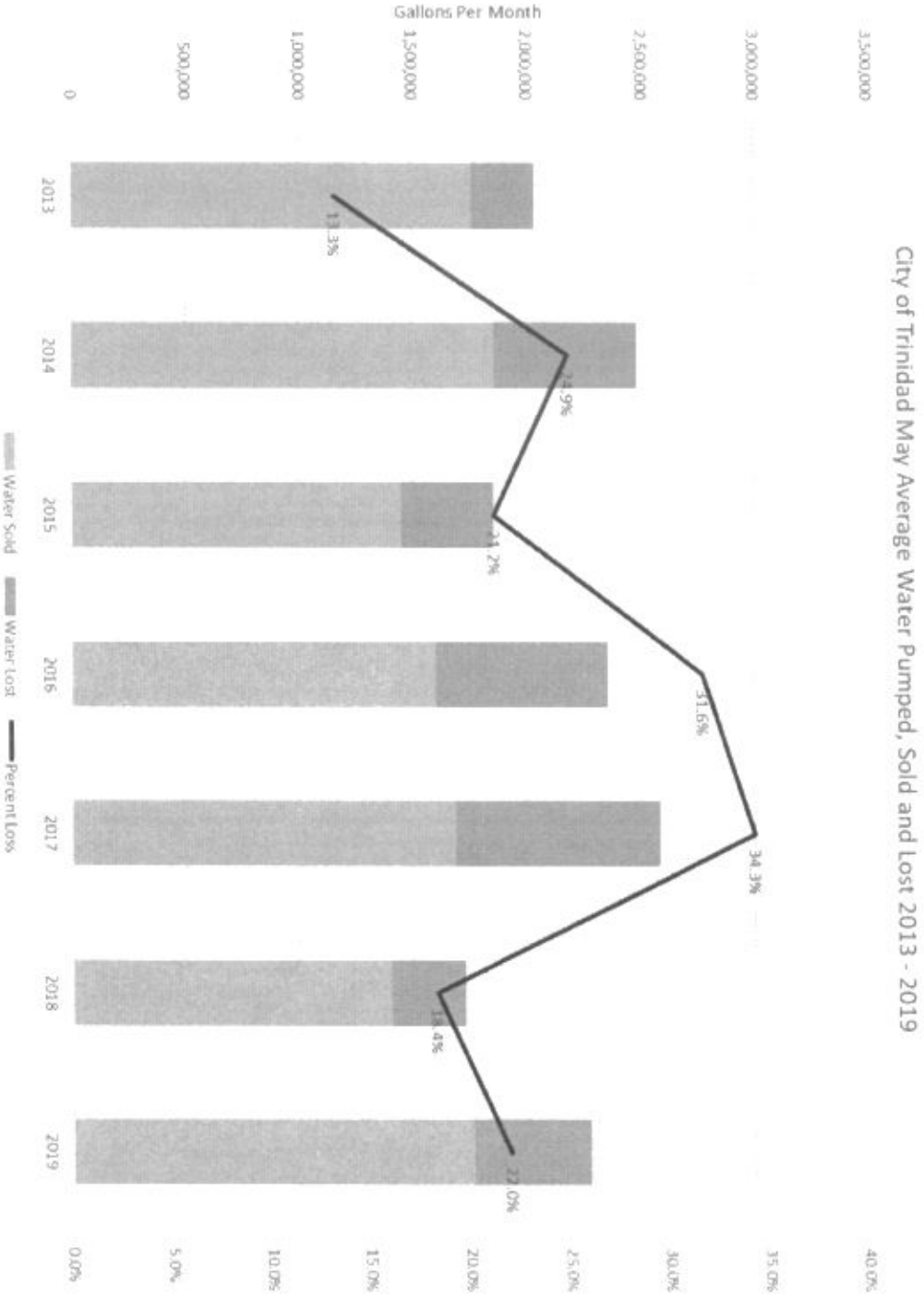

Figure A-6 Monthly Water Production Rates May 2013 to 2019

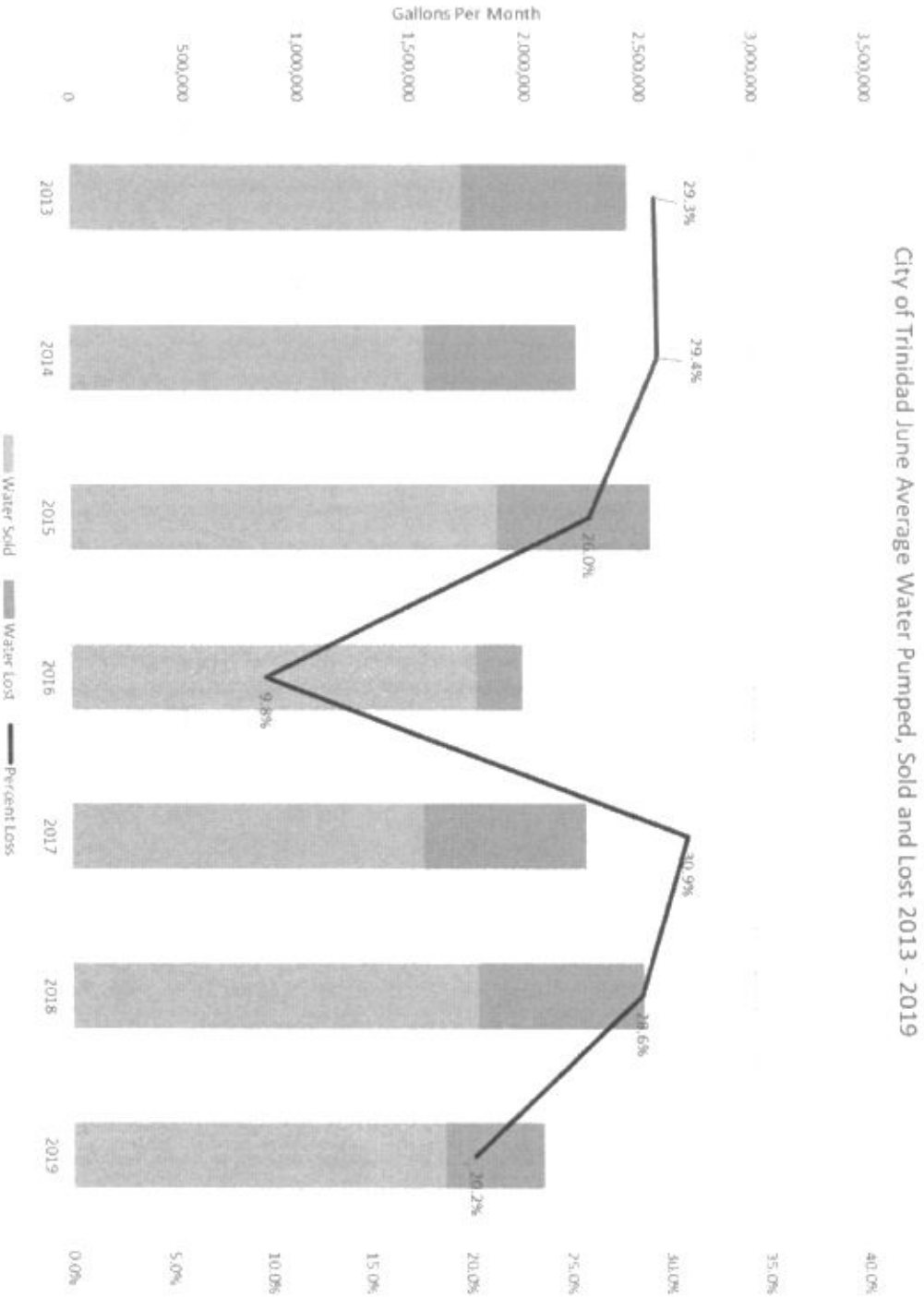

Figure A-7 Monthly Water Production Rates June 2013 to 2019

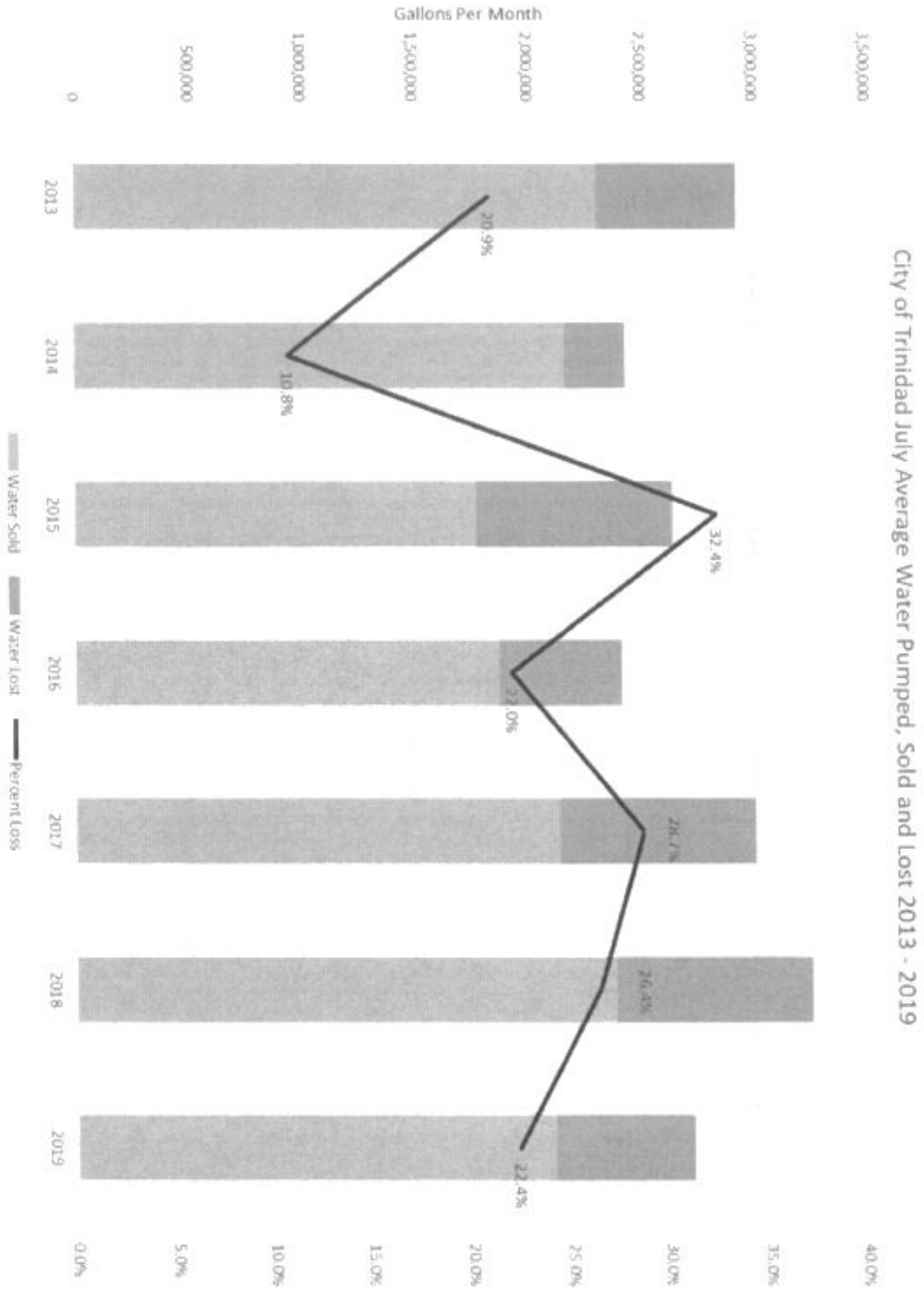

Figure A-8 Monthly Water Production Rates July 2013 to 2019

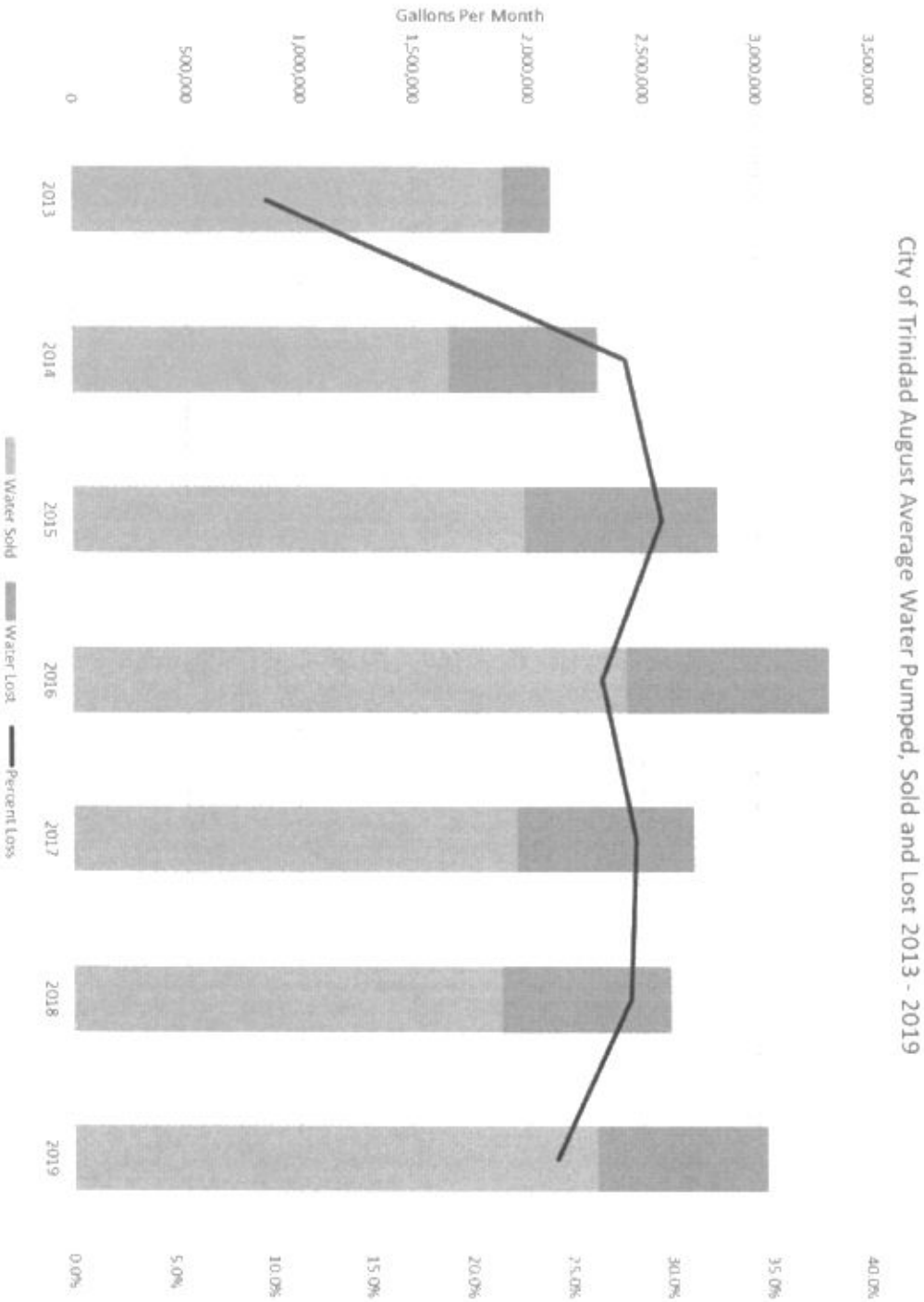

Figure A-9 Monthly Water Production Rates August 2013 to 2019

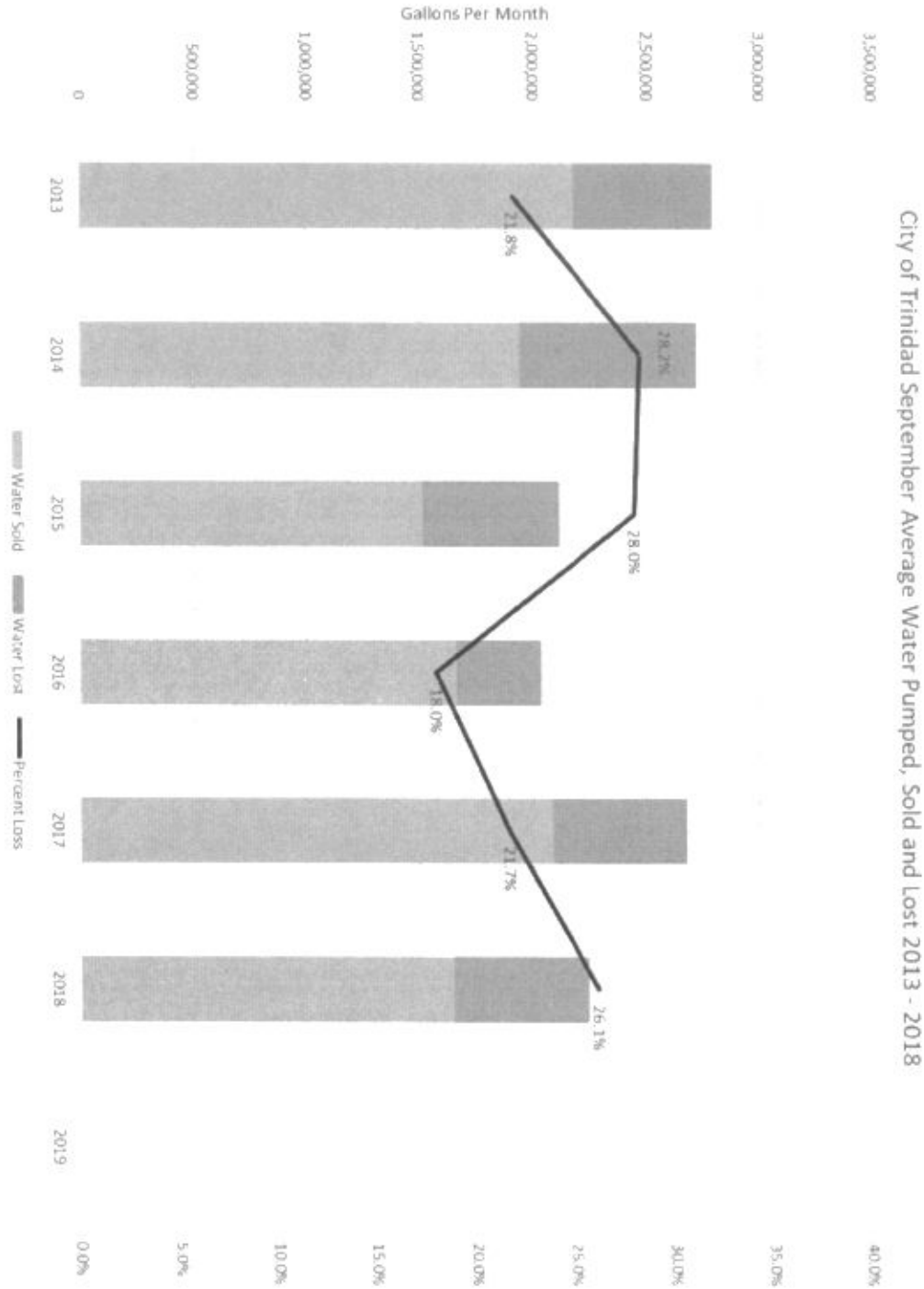

Figure A-10 Monthly Water Production Rates September 2013 to 2018

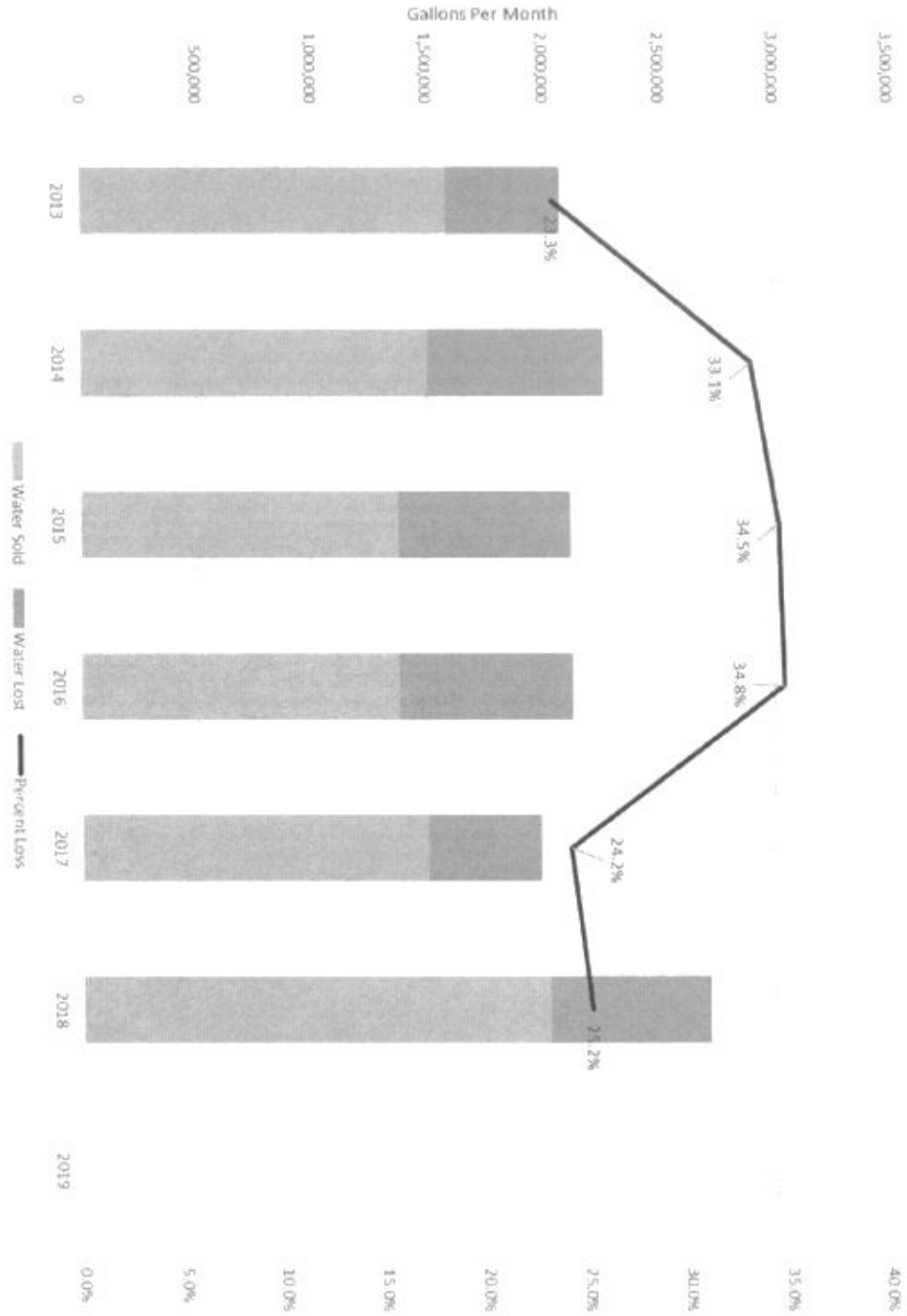

Figure A-11 Monthly Water Production Rates October 2013 to 2018

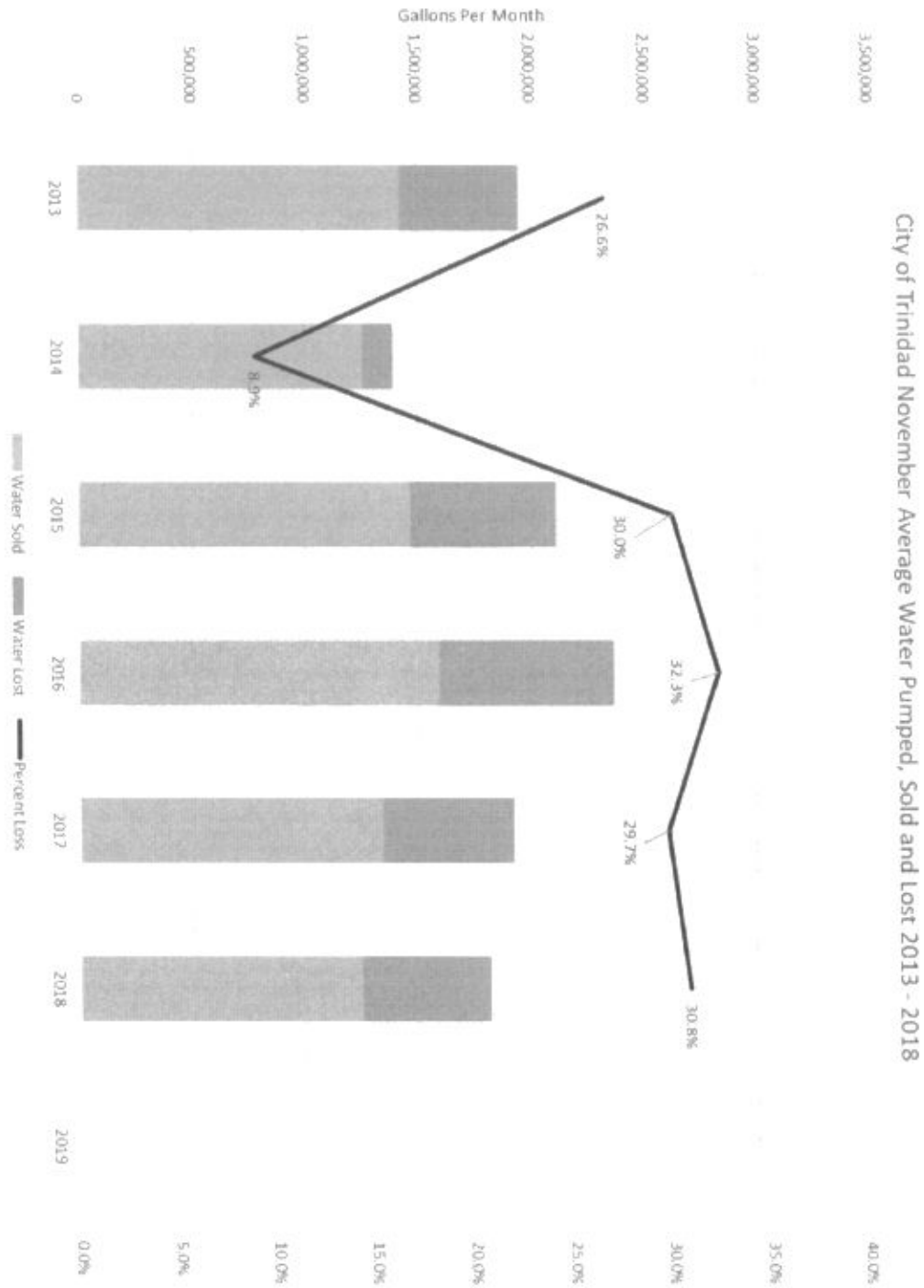

Figure A-12 Monthly Water Production Rates November 2013 to 2018

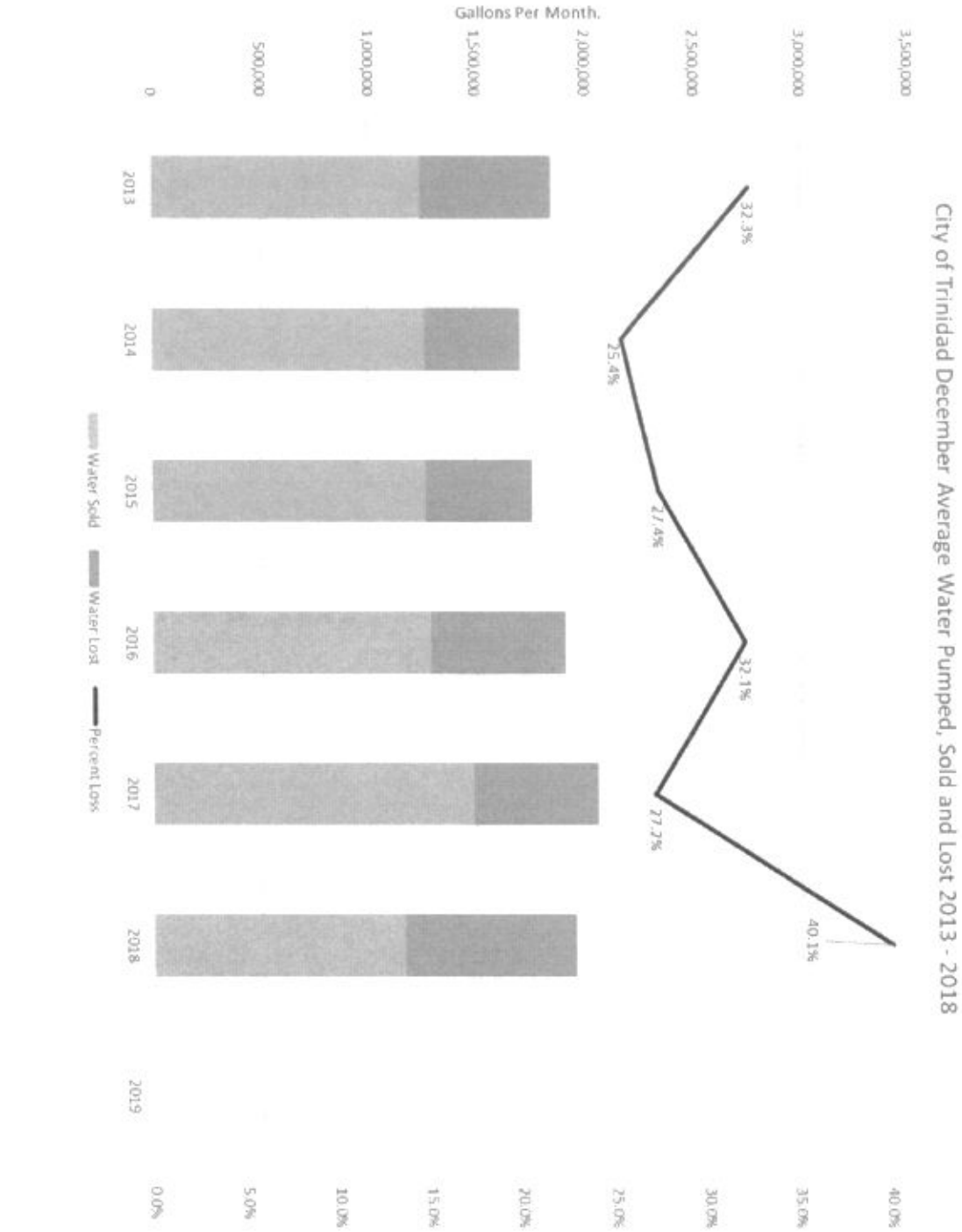

Figure A-13 Monthly Water Production Rates December 2013 to 2018

Appendix A

Table A-1. Water Production Data September 2012 to August 2019

Date	Water Pumped (gallons)	Water Sold (Gallons)	Water Lost (Gallons)	Percent Loss
Sep-12	2,156,400	1,721,200	435,200	20.18%
Oct-12	2,229,861	1,717,901	511,959	22.96%
Nov-12	1,740,724	1,195,522	545,203	31.32%
Dec-12	1,897,531	1,285,834	611,697	32.24%
Jan-13	1,978,336	1,511,918	466,418	23.58%
Feb-13	1,875,927	1,349,965	525,963	28.04%
Mar-13	1,601,811	1,101,536	500,275	31.23%
Apr-13	1,933,034	1,351,760	581,274	30.07%
May-13	2,032,944	1,763,353	269,590	13.26%
Jun-13	2,443,168	1,726,205	716,963	29.35%
Jul-13	2,927,000	2,314,114	612,886	20.94%
Aug-13	2,096,543	1,891,958	204,585	9.76%
Sep-13	2,788,297	2,179,105	609,191	21.85%
Oct-13	2,070,743	1,588,122	482,621	23.31%
Nov-13	1,949,132	1,431,128	518,004	26.58%
Dec-13	1,840,732	1,246,352	594,380	32.29%
Jan-14	1,656,217	1,322,556	333,661	20.15%
Feb-14	1,877,229	1,169,400	707,829	37.71%
Mar-14	1,810,323	1,255,209	555,114	30.66%
Apr-14	1,769,225	1,250,040	519,185	29.35%
May-14	2,479,373	1,862,358	617,016	24.89%
Jun-14	2,219,051	1,565,561	653,491	29.45%
Jul-14	2,429,269	2,167,189	262,080	10.79%
Aug-14	2,296,961	1,660,354	636,607	27.72%
Sep-14	2,717,793	1,950,164	767,629	28.24%
Oct-14	2,258,661	1,509,973	748,688	33.15%
Nov-14	1,388,998	1,265,203	123,795	8.91%
Dec-14	1,698,115	1,267,200	430,915	25.38%
Jan-15	1,449,702	1,182,648	267,055	18.42%
Feb-15	1,576,707	1,209,839	366,867	23.27%
Mar-15	1,714,318	1,334,166	380,153	22.18%
Apr-15	1,668,119	1,242,836	425,283	25.49%
May-15	1,849,431	1,456,951	392,480	21.22%

Date	Water Pumped (gallons)	Water Sold (Gallons)	Water Lost (Gallons)	Percent Loss
Jun-15	2,538,275	1,877,842	660,433	26.02%
Jul-15	2,636,382	1,782,503	853,879	32.39%
Aug-15	2,824,697	1,991,038	833,659	29.51%
Sep-15	2,111,646	1,521,321	590,325	27.96%
Oct-15	2,110,045	1,381,465	728,580	34.53%
Nov-15	2,106,447	1,475,024	631,423	29.98%
Dec-15	1,753,726	1,273,461	480,264	27.39%
Jan-16	1,420,775	1,040,922	379,853	26.74%
Feb-16	1,949,035	1,400,084	548,950	28.17%
Mar-16	1,755,424	1,290,539	464,884	26.48%
Apr-16	1,748,123	1,301,543	446,580	25.55%
May-16	2,349,265	1,605,761	743,504	31.65%
Jun-16	1,978,037	1,784,545	193,491	9.78%
Jul-16	2,407,665	1,877,700	529,965	22.01%
Aug-16	3,314,731	2,434,805	879,926	26.55%
Sep-16	2,031,335	1,665,478	365,857	18.01%
Oct-16	2,120,944	1,383,096	737,849	34.79%
Nov-16	2,361,862	1,598,325	763,537	32.33%
Dec-16	1,901,930	1,291,991	609,939	32.07%
Jan-17	1,890,634	1,319,541	571,093	30.21%
Feb-17	1,354,490	1,057,701	296,790	21.91%
Mar-17	1,698,265	1,172,183	526,083	30.98%
Apr-17	1,870,871	1,168,779	702,092	37.53%
May-17	2,574,481	1,690,919	883,562	34.32%
Jun-17	2,253,252	1,556,838	696,414	30.91%
Jul-17	2,999,509	2,139,743	859,766	28.66%
Aug-17	2,719,491	1,952,326	767,165	28.21%
Sep-17	2,669,289	2,090,027	579,262	21.70%
Oct-17	1,982,241	1,503,053	479,187	24.17%
Nov-17	1,919,958	1,348,887	571,070	29.74%
Dec-17	2,048,316	1,491,137	557,179	27.20%
Jan-18	1,645,812	1,186,523	459,289	27.91%
Feb-18	1,707,421	1,190,166	517,256	30.29%
Mar-18	1,808,722	1,187,173	621,549	34.36%

Date	Water Pumped (gallons)	Water Sold (Gallons)	Water Lost (Gallons)	Percent Loss
Apr-18	2,060,943	1,405,874	655,069	31.78%
May-18	1,723,497	1,407,131	316,366	18.36%
Jun-18	2,504,097	1,787,919	716,178	28.60%
Jul-18	3,246,523	2,387,984	858,539	26.44%
Aug-18	2,611,382	1,882,024	729,358	27.93%
Sep-18	2,240,752	1,655,080	585,672	26.14%
Oct-18	2,708,786	2,026,458	682,328	25.19%
Nov-18	1,812,627	1,253,503	559,124	30.85%
Dec-18	1,946,738	1,166,587	780,151	40.07%
Jan-19	1,564,109	1,129,925	434,184	27.76%
Feb-19	1,592,012	1,245,993	346,019	21.73%
Mar-19	1,454,303	1,081,713	372,590	25.62%
Apr-19	1,602,814	1,198,267	404,547	25.24%
May-19	2,268,857	1,768,724	500,133	22.04%
Jun-19	2,060,741	1,643,949	416,792	20.23%
Jul-19	2,722,288	2,113,636	608,653	22.36%
Aug-19	3,036,111	2,300,260	735,851	24.24%

DISCUSSION AGENDA ITEM 4

SUPPORTING DOCUMENTATION FOLLOWS WITH: 2 PAGES

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4. Discussion/Presentation/Update from the Trinidad Museum Society.

From: **Trinidad City Clerk** cityclerk@trinidad.ca.gov
Subject: FW: Trinidad Museum on October 8, 2019 City Agenda (concerning TOT allocation 2019-20)
Date: October 4, 2019 at 10:47 AM
To: Harbor Pride gabe@harborprideoutfitters.com

TC

See below

From: baycity@sonic.net <baycity@sonic.net>
Sent: Friday, October 04, 2019 5:43 AM
To: baycity@sonic.net; Trinidad City Manager <trinidadcitymanager@gmail.com>; Trinidad City Clerk <cityclerk@trinidad.ca.gov>
Subject: Trinidad Museum on October 8, 2019 City Agenda (concerning TOT allocation 2019-20)

Dear Eli and Gabe,
Hoping this review of Trinidad Museum Society's activities might be useful for October 9, 2019 City Council packet.
Thank you very much for the opportunity to give a short presentation.
Best regards,
Patti Fleschner, president
Trinidad Museum Society
P. O. Box 1126/400 Janis Court
Trinidad, CA 95570

Trinidad Museum-10 Years After Its September 26, 2009 Opening

Trinidad Museum Society's volunteer Board of Directors, docents, gardeners, curators, interns, and assistants have spent ten productive years drawing attention to Trinidad's rich cultural and natural history in the historic 1899 Sangster-Watkins-Underwood home, moved to the Saunders Family-donated land from its location north of the HSU Marine Laboratory in 2006.

The Native Plant Garden which surrounds the museum, the Historic Garden, which includes Martha Underwood's rose bush, in the front of the museum, and the vernal pond have been lovingly nurtured, attracting birds, frogs, salamanders and other wild life. A "Bee 'n Bee" Hotel encourages bees to live in the garden. Pathways have been improved and maintained. The Native Plant Garden has earned two State and City awards of excellence.

Exhibits on Native American jewelry and adornment, Made for the Trade baskets, the use of porcupine quills in baskets, Working Baskets and special Native American collections have been featured.

Permanent Collections include the Axel Lindgren Jr. redwood canoe, the Susan Morton Indian Beach mural, the A.W. Ericson Printing Press, the "Spain Claims Trinidad 1775" exhibit and Caleb Whitbeck painting of the "Santiago" and "Sonora" entering Trinidad Bay in 1775, the 1947 Fifth Order electric lens from the 1871 lighthouse, Goldsborough Bruff sketches of 1851 Trinidad, the 1870 survey of Trinidad, a rare 1911 map of timber holdings, a diorama made by Scott Baker and Roberta "Allie" Lindgren of the Tsurai Village, Native

American caps and baskets, and natural history exhibits on rocks, shells, birds' nests, wild flowers, mycology, whale-bones and other mammals, and Heritage Room collections.

Photography Room rotating exhibits have included the people and places associated with the Sangster-Watkins-Underwood home, the 1920-27 whaling station, the Trinidad Head 1871 lighthouse, Northwest California Indians, commercial and sport fishing and the 1946 Hallmark Pier, the 1921-22 construction of Scenic Drive, historic Trinidad buildings, the neighboring town of Crannell, and the 50 year commemoration of Redwood National Park and Lady Bird Johnson Grove. An exhibit on the Northwestern Pacific Railroad is being planned for 2020.

Historians and scientists from Trinidad Museum have prepared exhibits, given natural history tours, and presented OLLI lectures on marine biology, geology, wildflowers, mycology, Spanish history, Spanish and English naval commanders, the Gold Rush and whales and other mammals. The museum has reprinted and published several Trinidad history books.

Heritage Room exhibits have included the Pacific Glow Fox Farm on Stagecoach Road, Trinidad Veterans of World War I, Trinidad Civic Club 1913-2013, the 50 year observance of the 1964 flood in 2014, Schools and Scholars, Commercial and Sport Fishing, Vintage Trinidad Postcards and more.

The museum works with HSU history, museum studies and anthropology departments to train interns. Intern Alexandra Cox (who earned her M.A.degree at HSU) authenticated the 1775 Spanish Cross remnant, a permanent exhibit, through the use of Dendrochronology (dating method using tree rings) with the help of the HSU Forestry Dept. Laboratory.

Trinidad Museum has hosted annual Pierson History Series presentations by author-historian Jerry Rohde and hosted Annual Meeting and other guest speakers Thomas Hannah, Christopher Brodbeck, Jay Parker, Roberta "Allie" Lindgren, Arlene Hartin, Ron Johnson, Mary Spinas Kline, Scott Baker, Roland Johnson, Jim Webb and others. For several years has hosted Trinidad Art Night guests, authors and musicians.

Three Born-in-a-Truck Melodramas, "The Queen of Shark Tooth Shoals", "It's Nice of You to Notice" and "Courting Disaster" were produced by Trinidad Museum and presented in Town Hall.

Trinidad Museum Society has been an active partner with the Trinidad Gateway-California Coastal National Monument since 2006. Museum docents give monthly tours of the 1871 Lighthouse. Docents also have acted as guides for six 2019 Road Scholar visits to the 1871 lighthouse.

The museum web site, www.trinidadmuseum.org, is consistently improved & maintained by Joan Berman, and the Trinidad Museum Newsletter is published twice yearly.

Trinidad Museum Society, incorporated February 3, 1983 as a non-profit 501c3 corporation and was housed at 529-B Trinity (today's Moonstone Crossing Winery building) until 2009. TMS is grateful for its members, docents, garden volunteers, interns, and supporters, including the City of Trinidad, and looks forward to decades ahead honoring Trinidad's past.

DISCUSSION AGENDA ITEM 5

SUPPORTING DOCUMENTATION FOLLOWS WITH: 8 PAGES

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5. Discussion/Decision regarding Resolution 2019-11; Approving Grant Applications for the Proposition 68 Per Capita Grant Funds.

DISCUSSION AGENDA ITEM
Date: October 8, 2019

Item: DISCUSSION/DECISION REGARDING RESOLUTION 2019-11: APPROVING APPLICATION(S) FOR PARKS AND RECREATION PER CAPITA GRANT FUNDS

Summary:
The Proposition 68 State Department of Parks and Recreation Per Capita Program allocates a maximum of $200,000 in grant funding to the City for parks and recreation acquisition and development projects. 20% in match funding is required for each project. Eligible projects could include renovation/upgrade of the Axel Lindgren Memorial Trail and/or Trinidad Head Trail, development of an ADA accessible vista point(s), kiosk and signage. These projects have been prioritized by the Trail Committee, Tsurai Management Plan and/or the CA Coastal National Monument recreation committee. The City must pass a resolution to approve filing grant application(s) for Per Capita Grant funds. The attached draft Resolution 2019-11 provides additional details about the Per Capita Grant program requirements.

Background:

Eligible Projects: Acquisition and development projects consistent with the General Plan Recreation Element. Funding must be for capital outlay (building something new or improving the condition of the facility beyond its original or current state). Maintenance and repair costs are not eligible.

- Must be for recreational purposes, either acquisition or development.
- Multiple projects may be completed under one contract; each project requires a separate application.
- Projects must be accessible with an accessible path of travel to the Project (meet City requirements).

Grant Performance Period: July 1, 2019 – June 30, 2022 (all costs must be incurred during this period).

1. Resolution (submit no later than November 1, 2019): City passes one resolution (see below) approving the filing of all applications associated with the contract.

2. City submits application packets (s) no later than January 31, 2020. The City defines the project scope(s) and amount of grant funds needed for each project. As projects are identified, the City submits individual application packets (s) to OGALS. OGALS reviews each application packet and sends a letter of approval to the City or requests additional information.

3. Contract must be signed and submitted no later than March 31, 2020. OGALS will forward a contract to the City once a project application packet has been approved. As City submits additional application packets, OGALS will amend the contract to reflect the total project amount for all approved application packets, up to the allocation amount.

Staff Recommendation:
Pass Resolution 2019-xx and direct staff to develop Per Capita application packet(s) for priority eligible project(s).

Attachments:

- Resolution 2019-11 Approving Application(s) for Per Capita Grant Funds
- Per Capita Grant Contract General Provisions

TRINIDAD CITY HALL
P.O. Box 390
409 Trinity Street
Trinidad, CA 95570
(707) 677-0223

RESOLUTION NO. 2019-11

RESOLUTION OF THE CITY OF TRINIDAD APPROVING APPLICATION(S) FOR PER CAPITA GRANT FUNDS

WHEREAS, the State Department of Parks and Recreation has been delegated the responsibility by the Legislature of the State of California for the administration of the Per Capita Grant Program, setting up necessary procedures governing application(s); and

WHEREAS, said procedures established by the State Department of Parks and Recreation require the grantee's Governing Body to certify by resolution the approval of project application(s) before submission of said applications to the State; and

WHEREAS, the grantee will enter into a contract with the State of California to complete project(s);

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby:

1. Approves the filing of project application(s) for Per Capita program grant project(s); and
2. Certifies that said grantee has or will have available, prior to commencement of project work utilizing Per Capita funding, sufficient funds to complete the project(s); and
3. Certifies that the grantee has or will have sufficient funds to operate and maintain the project(s), and
4. Certifies that all projects proposed will be consistent with the park and recreation element of the City's general or recreation plan (PRC §80063(a)), and
5. Certifies that these funds will be used to supplement, not supplant, local revenues in existence as of June 5, 2018 (PRC §80062(d)), and
6. Certifies that it will comply with the provisions of §1771.5 of the State Labor Code, and
7. (PRC §80001(b)(8)(A-G)) To the extent practicable, as identified in the "Presidential Memorandum--Promoting Diversity and Inclusion in Our National Parks, National Forests, and Other Public Lands and Waters," dated January 12, 2017, the City will consider a range of actions that include, but are not limited to, the following:
   (A) Conducting active outreach to diverse populations, particularly minority, low-income, and disabled populations and tribal communities, to increase awareness within those communities and the public generally about specific programs and opportunities.
   (B) Mentoring new environmental, outdoor recreation, and conservation leaders to increase diverse representation across these areas.
   (C) Creating new partnerships with state, local, tribal, private, and nonprofit organizations to expand access for diverse populations.
   (D) Identifying and implementing improvements to existing programs to increase visitation and access by diverse populations, particularly minority, low-income, and disabled populations and tribal communities.
   (E) Expanding the use of multilingual and culturally appropriate materials in public communications and educational strategies, including through social media strategies, as appropriate, that target diverse populations.

(F) Developing or expanding coordinated efforts to promote youth engagement and empowerment, including fostering new partnerships with diversity-serving and youth-serving organizations, urban areas, and programs.

(G) Identifying possible staff liaisons to diverse populations.

8. Agrees that to the extent practicable, the project(s) will provide workforce education and training, contractor and job opportunities for disadvantaged communities (PRC §80001(b)(5)).
9. Certifies that the grantee shall not reduce the amount of funding otherwise available to be spent on parks or other projects eligible for funds under this division in its jurisdiction. A one-time allocation of other funding that has been expended for parks or other projects, but which is not available on an ongoing basis, shall not be considered when calculating a recipient's annual expenditures. (PRC §80062(d)).
10. Certifies that the grantee has reviewed, understands, and agrees to the General Provisions contained in the contract shown in the Procedural Guide; and
11. Delegates the authority to the City Manager, or designee to conduct all negotiations, sign and submit all documents, including, but not limited to applications, agreements, amendments, and payment requests, which may be necessary for the completion of the grant scope(s); and
12. Agrees to comply with all applicable federal, state and local laws, ordinances, rules, regulations and guidelines.

Passed, Approved, and Adopted by the Trinidad City Council on the 8th day of October, 2019, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Attest:

Gabriel Adams
Trinidad City Clerk

Steve Ladwig
Mayor

Per Capita Contract

State of California – The Natural Resources Agency
DEPARTMENT OF PARKS AND RECREATION
Sample Grant Contract

Per Capita Program

II. GENERAL PROVISIONS

A. Definitions

As used in this CONTRACT, the following words shall have the following meanings:

1. The term "ACT" means the California Drought, Water, Parks Climate, Coastal Protection, and Outdoor Access for All Act of 2018, as referred to in section I of this CONTRACT.
2. The term "APPLICATION" means the individual project APPLICATION packet for a project pursuant to the enabling legislation and/or grant program process guide requirements.
3. The term "DEPARTMENT" or "STATE" means the California Department of Parks and Recreation.
4. The term "DEVELOPMENT" means capital improvements to real property by means of, but not limited to, construction, expansion, and/or renovation, of permanent or fixed features of the property.
5. The term "GRANTEE" means the party described as the GRANTEE in Section I of this CONTRACT.
6. The term "GRANT SCOPE" means the items listed in the GRANT SCOPE/Cost Estimate Form or acquisition documentation found in each of the APPLICATIONS submitted pursuant to this grant.
7. The term "PROCEDURAL GUIDE" means the document identified as the "Procedural Guide for California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018 Per Capita Program." The PROCEDURAL GUIDE provides the procedures and policies controlling the administration of the grant.

B. Project Execution

1. Subject to the availability of GRANT MONIES in the act, the STATE hereby grants to the GRANTEE a sum of money not to exceed the amount stated in Section I of this CONTRACT, in consideration of, and on condition that, the sum be expended in carrying out the purposes as set forth in the scope described in the enabling legislation and referenced in the APPLICATION, Section I of this CONTRACT, and under the terms and conditions set forth in this CONTRACT.

   The GRANTEE shall assume any obligation to furnish any additional funds that may be necessary to complete the GRANT SCOPE(S).

   The GRANTEE agrees to submit any change or alteration from the original GRANT SCOPE(S) in writing to the STATE for prior approval. This applies to any and all changes that occur after STATE has approved the APPLICATION. Changes in the GRANT SCOPE(S) must be approved in writing by the STATE.

2. The GRANTEE shall complete the GRANT SCOPE(S) in accordance with the time of the Performance Period set forth in Section I of this CONTRACT, and under the terms and conditions of this contract.

3. The GRANTEE shall comply with the California Environmental Quality Act (Public Resources Code, §21000, et seq., Title 14, California Code of Regulations, §15000 et seq.).

4. The GRANTEE shall comply with all applicable current laws and regulations affecting DEVELOPMENT projects, including, but not limited to, legal requirements for construction contracts, building codes, health and safety codes, and laws and codes pertaining to individuals with disabilities, including but not limited to the Americans With Disabilities Act of 1990 (42 U.S.C. §12101 et seq.) and the California Unruh Act (California Civil Code §51 et seq.)

C. Procedural Guide

1. GRANTEE agrees to abide by the PROCEDURAL GUIDE.

2. GRANTEE acknowledges that STATE may make reasonable changes to its procedures as set forth in the PROCEDURAL GUIDE. If STATE makes any changes to its procedures and guidelines, STATE agrees to notify GRANTEE within a reasonable time.

D. Project Administration

1. If GRANT MONIES are advanced for DEVELOPMENT projects, the advanced funds shall be placed in an interest bearing account until expended. Interest earned on the advanced funds shall be used on the project as approved by the STATE. If grant monies are advanced and not expended, the unused portion of the grant and any interest earned shall be returned to the STATE within 60 days after project completion or end of the grant performance period, whichever is earlier.
2. The GRANTEE shall submit written project status reports within 30 calendar days after the STATE has made such a request. In any event, the GRANTEE shall provide the STATE a report showing total final project expenditures within 60 days of project completion or the end of the grant performance period, whichever is earlier. The grant performance period is identified in Section I of this CONTRACT.
3. The GRANTEE shall make property or facilities acquired and/or developed pursuant to this contract available for inspection upon request by the STATE.

E. Project Termination

1. Project Termination refers to the non-completion of a GRANT SCOPE. Any grant funds that have not been expended by the GRANTEE shall revert to the STATE.
2. The GRANTEE may unilaterally rescind this CONTRACT at any time prior to the commencement of the project. The commencement of the project means the date of the letter notifying GRANTEE of the award or when the funds are appropriated, whichever is later. After project commencement, this CONTRACT may be rescinded, modified or amended only by mutual agreement in writing between the GRANTEE and the STATE, unless the provisions of this contract provide that mutual agreement is not required.
3. Failure by the GRANTEE to comply with the terms of the (a) PROCEDURAL GUIDE, (b) any legislation applicable to the ACT, (c) this CONTRACT as well as any other grant contracts, specified or general, that GRANTEE has entered into with STATE, may be cause for suspension of all obligations of the STATE unless the STATE determines that such failure was due to no fault of the GRANTEE. In such case, STATE may reimburse GRANTEE for eligible costs properly incurred in performance of this CONTRACT despite non-performance of the GRANTEE. To qualify for such reimbursement, GRANTEE agrees to mitigate its losses to the best of its ability.
4. Any breach of any term, provision, obligation or requirement of this CONTRACT by the GRANTEE shall be a default of this CONTRACT. In the case of any default by GRANTEE, STATE shall be entitled to all remedies available under law and equity, including but not limited to: a) Specific Performance; b) Return of all GRANT MONIES; c) Payment to the STATE of the fair market value of the project property or the actual sales price, whichever is higher; and d) Payment to the STATE of the costs of enforcement of this CONTRACT, including but not limited to court and arbitration costs, fees, expenses of litigation, and reasonable attorney fees.
5. The GRANTEE and the STATE agree that if the GRANT SCOPE includes DEVELOPMENT, final payment may not be made until the work described in the GRANT SCOPE is complete and the GRANT PROJECT is open to the public.

F. Budget Contingency Clause

If funding for any fiscal year is reduced or deleted by the budget act for purposes of this program, the STATE shall have the option to either cancel this contract with no liability occurring to the STATE, or offer a CONTRACT amendment to GRANTEE to reflect the reduced grant amount. This Paragraph shall not require the mutual agreement as addressed in Paragraph E, provision 2, of this CONTRACT.

G. Hold Harmless

1. The GRANTEE shall waive all claims and recourse against the STATE including the right to contribution for loss or damage to persons or property arising from, growing out of or in any way connected with or incident to this

CONTRACT except claims arising from the concurrent or sole negligence of the STATE, its officers, agents, and employees.

2. The GRANTEE shall indemnify, hold harmless and defend the STATE, its officers, agents and employees against any and all claims, demands, damages, costs, expenses or liability costs arising out of the ACQUISITION, DEVELOPMENT, construction, operation or maintenance of the property described as the project which claims, demands or causes of action arise under California Government Code Section 895.2 or otherwise except for liability arising out of the concurrent or sole negligence of the STATE, its officers, agents, or employees.
3. The GRANTEE agrees that in the event the STATE is named as codefendant under the provisions of California Government Code Section 895 et seq., the GRANTEE shall notify the STATE of such fact and shall represent the STATE in the legal action unless the STATE undertakes to represent itself as codefendant in such legal action in which event the GRANTEE agrees to pay the STATE's litigation costs, expenses, and reasonable attorney fees.
4. The GRANTEE and the STATE agree that in the event of judgment entered against the STATE and the GRANTEE because of the concurrent negligence of the STATE and the GRANTEE, their officers, agents, or employees, an apportionment of liability to pay such judgment shall be made by a court of competent jurisdiction. Neither party shall request a jury apportionment.
5. The GRANTEE shall indemnify, hold harmless and defend the STATE, its officers, agents and employees against any and all claims, demands, costs, expenses or liability costs arising out of legal actions pursuant to items to which the GRANTEE has certified. The GRANTEE acknowledges that it is solely responsible for compliance with items to which it has certified.

H. Financial Records

1. The GRANTEE shall maintain satisfactory financial accounts, documents, including loan documents, and all other records for the project and to make them available to the STATE for auditing at reasonable times. The GRANTEE also agrees to retain such financial accounts, documents and records for five years following project termination or issuance of final payment, whichever is later.
2. The GRANTEE shall keep such records as the STATE shall prescribe, including records which fully disclose (a) the disposition of the proceeds of STATE funding assistance, (b) the total cost of the project in connection with such assistance that is given or used, (c) the amount and nature of that portion of the project cost supplied by other sources, and (d) any other such records that will facilitate an effective audit.
3. The GRANTEE agrees that the STATE shall have the right to inspect and make copies of any books, records or reports pertaining to this contract or matters related thereto during regular office hours. The GRANTEE shall maintain and make available for inspection by the STATE accurate records of all of its costs, disbursements and receipts with respect to its activities under this contract. Such accounts, documents, and records shall be retained by the GRANTEE for at least five years following project termination or issuance of final payment, whichever is later.
4. The GRANTEE shall use a generally accepted accounting system.

I. Use of Facilities

1. The GRANTEE agrees that the GRANTEE shall operate and maintain the property acquired or developed with the GRANT MONIES, for the duration of the Contract Performance Period.
2. The GRANTEE agrees that, during the Contract Performance Period, the GRANTEE shall use the property acquired or developed with GRANT MONIES under this contract only for the purposes of this grant and no other use, sale, or other disposition or change of the use of the property to one not consistent with its purpose shall be permitted except as authorized by the STATE and the property shall be replaced with property of equivalent value and usefulness as determined by the STATE.
3. The property acquired or developed may be transferred to another entity if the successor entity assumes the obligations imposed under this CONTRACT and with the approval of STATE.

4. Any real Property (including any portion of it or any interest in it) may not be used as security for any debt or mitigation, without the written approval of the STATE provided that such approval shall not be unreasonably withheld as long as the purposes for which the Grant was awarded are maintained. Any such permission that is granted does not make the STATE a guarantor or a surety for any debt or mitigation, nor does it waive the STATE'S rights to enforce performance under the Grant CONTRACT.
5. All real property, or rights thereto, acquired with GRANT MONIES shall be subject to an appropriate form of restrictive title, rights, or covenants approved by the STATE. If the project property is taken by use of eminent domain, GRANTEE shall reimburse STATE an amount at least equal to the amount of GRANT MONIES received from STATE or the pro-rated full market value of the real property, including improvements, at the time of sale, whichever is higher.
6. If eminent domain proceedings are initiated against GRANTEE, GRANTEE shall notify STATE within 10 days of receiving the complaint.

J. Nondiscrimination

1. The GRANTEE shall not discriminate against any person on the basis of sex, race, color, national origin, age, religion, ancestry, sexual orientation, or disability in the use of any property or facility developed pursuant to this contract.
2. The GRANTEE shall not discriminate against any person on the basis of residence except to the extent that reasonable differences in admission or other fees may be maintained on the basis of residence and pursuant to law.
3. All facilities shall be open to members of the public generally, except as noted under the special provisions of this project contract or under provisions of the enabling legislation and/or grant program.

K. Severability

If any provision of this CONTRACT or the application thereof is held invalid, that invalidity shall not affect other provisions or applications of the CONTRACT which can be given effect without the invalid provision or application, and to this end the provisions of this CONTRACT are severable.

L. Liability

1. STATE assumes no responsibility for assuring the safety or standards of construction, site improvements or programs related to the GRANT SCOPE. The STATE'S rights under this CONTRACT to review, inspect and approve the GRANT SCOPE and any final plans of implementation shall not give rise to any warranty or representation that the GRANT SCOPE and any plans or improvements are free from hazards or defects.
2. GRANTEE will secure adequate liability insurance, performance bond, and/or other security necessary to protect the GRANTEE's and STATE'S interest against poor workmanship, fraud, or other potential loss associated with completion of the grant project.

M. Assignability

Without the written consent of the STATE, the GRANTEE'S interest in and responsibilities under this CONTRACT shall not be assignable by the GRANTEE either in whole or in part.

N. Use of Grant Monies

GRANTEE shall not use any grant funds (including any portion thereof) for the purpose of making any leverage loan, pledge, promissory note or similar financial device or transaction, without: 1) the prior written approval of the STATE; and 2) any financial or legal interests created by any such leverage loan, pledge, promissory note or similar financial device or transaction in the project property shall be completely subordinated to this CONTRACT through a Subordination Agreement provided and approved by the STATE, signed by all parties involved in the transaction, and recorded in the County Records against the fee title of the project property.

N. Section Headings

The headings and captions of the various sections of this CONTRACT have been inserted only for the purpose of convenience and are not a part of this CONTRACT and shall not be deemed in any manner to modify, explain, or restrict any of the provisions of this CONTRACT.

O. Waiver

Any failure by a party to enforce its rights under this CONTRACT, in the event of a breach, shall not be construed as a waiver of said rights; and the waiver of any breach under this CONTRACT shall not be construed as a waiver of any subsequent breach.

_____
GRANTEE

By:_____
Signature of Authorized Representative

Title: _____
Date: _____

STATE OF CALIFORNIA
DEPARTMENT OF PARKS AND RECREATION

By: _____
Date: _____

DISCUSSION AGENDA ITEM 6

SUPPORTING DOCUMENTATION FOLLOWS WITH: 0 PAGES

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6. Discussion/Decision regarding Date Selection for a Joint Meeting with the City Council, Planning Commission, and STR Committee.

No supporting documentation for this item.